

May/June 1973

POSTAL INCREASES—THREAT TO PRESS FREEDOM? ERWIN KNOLL

**COLUMBIA**  
**JOURNALISM**  
**REVIEW**

NATIONAL MEDIA MONITOR

PRESS • RADIO • TV

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**THE NEWSPAPER  
AUTOMATION  
CONTROVERSY**

Ben H. Bagdikian

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***THE SELLING  
OF THE  
ASTRONAUTS***

Robert Sherrod

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**KAFKAESQUE DAYS  
IN PHILADELPHIA**

Robert Sam Anson

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**—'Columbia Journalism Review,'  
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# COLUMBIA JOURNALISM REVIEW

May/June, 1973

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## Passing comment

### Know your enemy

The Vietnam War gradually shut down without any of the trappings of former wars—no laden troop transports passing the Statue of Liberty, no massed parades, no great ceremonies as the ordinary GI came back to the United States and resumed, if he were intact, his civilian life. The entire weight of whatever emotion the war's end carried centered on the group, composed largely of career officers of the Air Force and Navy, that had had the bad luck to be captured.

These men were handled as carefully as astronauts in their progress from Hanoi to the Philippines to the United States. Perhaps the Pentagon had in mind an honorable objective, such as shielding them from the suspicion of brainwashing that had greeted many POWs after the Korean War. But the propaganda use of the POWs by *Monday*, the publication of the Republican National Committee, suggests otherwise.

In any case, there was little doubt of the effort to exclude the press. James Sterba of the New York *Times* filed an infuriated memorandum that started: "First batch of POWs took off for states with press here unable to get anywhere near them even though they were healthy enough to eat anything, play with nurses, drink beer, horse around in the hospital, go shopping, see movies, and talk to virtually everyone else who runs into them on this base except newsmen." (He expanded the memorandum into an article that ran on Feb. 20.) The statements of the returning prisoners sounded programmed to an extent that must have made many wonder whether

the other side had not been overestimated for its expertise at brainwashing.

What was happening? The ombudsman of the *Washington Post*, Robert C. Maynard, seemed to penetrate to the heart of it on Feb. 21:

The Department of Defense provided us all, prisoners and ordinary citizens alike, with an object lesson in what the issues are all about. If you start off believing that the press "will distort everything," then you have seriously narrowed the options available for understanding what's going on. With that set of mind, it is not a "distortion" to provide returning prisoners with rough drafts of airport statements which praise an "honorable peace," but it would be a distortion to have candid give and take between the returnees and the press.

In the only interviews permitted at Clark Field, reporters were told beforehand that they could not ask the men any "controversial" questions. Those who need to catch up on how freedom and democracy are doing can look to the handling of the return of the prisoners by the military for some lessons in the art of news management, circa 1973.

### Good-by White House, hello 'Times'

With the hiring of William Safire out of the White House as a columnist, the New York *Times* has made its first political appointment. This is not said in derogation of his talents. Safire may prove to be at least as entertaining and instructive as those who already occupy the Op Ed page. But the step, taken on the publisher's initiative, shows that the leadership of the *Times* has gone a long way toward accepting the Administration's definition of the *Times'* journalism as political in intent and impact. It is hard—indeed impossible—to think of a columnist published regularly in the *Times* who did not earn his space on the basis of his work as a reporter, rather than for the newspaper's estimate of his ideology. Safire's coming reverses this procedure; the first qualification Arthur Ochs Sulzberger mentioned in announcing his appointment was his "new and different point of view, sharpened by his recent years in the White House."

Perhaps this only means that the *Times* is moving toward a position closer to that of the rest of

the American press, which usually tries to draw a well balanced political hand from the syndicated deck. But at the same time one fears that the newspaper is trying to redress an imbalance that existed largely in the mouths of hostile critics, and is thus doing an injustice to the journalist-columnists it already has.

## Credulity

Continuing the kind of valuable intra-media criticism that it produced on Attica [PASSING COMMENT, Nov./Dec., 1971], *Newsday* for March 19 tracked down the errors that led newspapers to attribute the death of a Hofstra University student to drugs. (March 1 headlines: HOFSTRA COED DIES OF DRUG OVERDOSE—*New York Daily News*; HOFSTRA COED, A DIABETIC, FOUND DEAD, APPARENTLY OF OVERDOSE—*New York Times*.) In fact, Leslie Wertling was not a diabetic; she had died of heart disease.

Marc Schogol's analytical article makes clear that the errors originated with official sources, responding to media pressure for information. But, as at Attica, journalists' eagerness to fit fragmentary information into a stereotyped frame enlarged and distorted the story. For reporters approached the story with the knowledge that, a day before, police had arrested twenty-eight Hofstra students on drug charges. The connection was obvious; indeed, reporters used it in their leads. The only difficulty was that it was false.

As always in these cases, there are a hundred extenuating circumstances. But *Newsday* shows that the worst flaw is the way journalists think.

## Dispute at a dead end

Last Dec. 19, *NBC Reports* offered a one-hour documentary, *What Price Health?*, an examination of medical costs and possible forms of help for people who must pay the bills. The program

described a number of cases of people who were shown to have been overwhelmed by hospital or doctor charges or to have foregone medical treatment because they could not afford it. Over the next three weeks, the American Medical Association prepared a reply, charging that NBC had falsified at least one of the hardship cases it portrayed and, further, had tilted the weight of opinion on the program in favor of opponents of organized medicine. Dr. Ernest B. Howard, the AMA's executive vice president, at the end of his fifteen-page complaint, asked for equal time. Richard C. Wald, president of NBC News, replied on Feb. 12 that "we believe your charges and your request for 'equal' time are completely without basis." As of now that's where the debate stops. NBC stands as the sole judge of its own presentation.

The AMA, obviously unplaced, has turned to this publication for some kind of adjudication. No doubt, the *Review* could either offer a few free-hand and probably equivocal opinions or, at considerable cost, commission a full-scale investigation. The subject really demands a thorough hearing and a full report. The object of such an investigation would not be to make the AMA feel better, or worse, but to seek some kind of resolution in a debate on a matter of public importance: Was the subject accurately presented? Despite the reservations expressed in these pages [March/April] about the proposed nongovernmental national press council, this obviously is one instance in which its proceedings could be effective. One would hope, though, that NBC's relative unresponsiveness would be the exceptional case and that the Council would not often be called on.

## Councils' progress

The Riverside, Calif., *Press-Enterprise*, always a pioneer, has initiated a local press council to operate for a year with a grant of \$6,600 from the Markle Foundation. The council has eleven members, headed by Arthur L. Littleworth, lawyer and president of the local board of education. He and two other members were selected by the editor

and co-publisher, Howard H. Hays, Jr., and these three selected the eight others. The council's work will proceed along lines tried in the experiments conducted by the Mellett Fund in several cities in the late 1960s—that is, the council will have no enforcement powers, but will consult with the newspaper, will channel reader complaints, and will issue periodic reports, which the *Press-Enterprise* has committed itself to publishing in full. In its deliberations, the council will have the help of a professional consultant of a high order—Roger Tatarian, until last year editor and vice president of United Press International.

If all this sounds a bit too cozy, it should be borne in mind that even appointed bodies, once they have found a constituency, tend to take on a life of their own. It is a good bet that the Riverside council will not be a low-pressure group for long. The newspaper therefore was no doubt prudent to guarantee its own staff that it would be shielded from direct contact with the council.

The Minnesota Press Council, the only body of its kind functioning on a state level, does not appear so far to be burning up the track. Although it was organized in 1971, it had issued, through February, 1973, only three decisions. Two of these dealt, not with the general media, but with a labor paper, the *Union Advocate*. The most recent case affirmed the right of the paper to reject an advertisement. The landmark case *Near v. Minnesota* (1931) didn't deal with a general newspaper, either. Maybe the Minnesota council also will have to seek its landmarks on the byways.

## Monitors, broadcast side

The tradition of press criticism on the air, curiously enough, predates all of the printed reviews of journalism. Don Hollenbeck's New York press-review program was on WCBS radio a full quarter-century ago, and *WCBS-TV Views the Press* went on New York TV a few months before the founding of this publication in 1961. The output has been sporadic. But it seems appropriate to call attention to those few broadcast reviews that have shown signs of permanence:

1) *Behind the Lines*, a weekly half-hour program produced by WNET, the public station in New York, and distributed by the Public Broadcasting Service, is in its second season and gaining strength as it shifts from the routine personality stories to strong reporting and analysis.

2) Edwin Diamond's brief media commentaries appear on WTOP-TV, the Washington *Post*-owned CBS affiliate in Washington, and other Post-Newsweek stations.

3) William A. Wood's broadcast essays on the problems and failings of the media on WCBS radio in New York have received little publicity. Wood, a Columbia faculty member, has been offering them for more than five years with increasing polish and depth.

4) *Milwaukee Media Review*, a biweekly program that began in 1971, continues on WISN-TV, the CBS affiliate in Milwaukee. It is produced by faculty members from the mass communication department at the University of Wisconsin in Milwaukee. Despite its obscure hour (8 a.m. Sunday) and its small audience, the program's liveliness and newsworthiness have won it wider attention through the *Milwaukee Journal*.

It will be noted that much of this work is being carried on, as in the past, by CBS or CBS affiliates. But this past winter ABC initiated some discussion of the TV medium on its late-night programs. Maybe it's catching on at last.

## Correction—and education

More than a few newspapers have added to their worth in recent years by institutionalizing their method of handling factual corrections. They have thus relieved themselves of the burden of infallibility and have helped reduce the understandable resistance to corrections by staff members who felt themselves singled out for embarrassment. The New York *Times*' practice of placing corrections or references to corrective stories in one spot, at the end of the daily news index, is one good example. The two Louisville newspapers and the Toronto *Globe & Mail* established similar procedures even earlier.



But it has occurred to other newspapers that corrections alone, while enhancing the professional integrity of the paper, do not necessarily raise public appreciation. The need is for reader education as well. To this end, a scattering of newspapers have added a kind of column rarely seen before 1970. Names for it include "Observations" (Utica, N.Y., *Observer-Dispatch*), "Letters from the Editors" (Louisville *Sunday Times* and *Courier-Journal*), and "Public Editor" (Wilmington, Del., *Morning News*).

The Wilmington effort, which has been under way about six months, is fairly typical: It is under the guidance of Cy Liberman, who had been on the editorial staff of the newspaper. The column usually begins with a brief, instructive essay on, say, why newspapers print so much "bad" news, or how the *News* was able to make room for extra material about Lyndon B. Johnson's death. The essay is followed by as many as half a dozen corrections—this number stemming in part from the considerable reader response the column has aroused. Complaints funneled through the column have already led to one reversal of newspaper policy—nothing of tremendous import, but perhaps significant: Last fall, the *News* tried a new, truncated form for obituaries; after Liberman heard from readers, the old, fuller obits returned.

## Seeking freedom without a First Amendment

Although they may have chafed under occasional court restrictions, American editors have never been bound by the kind of tight legal thongs that restrain their British counterparts from printing material even remotely touching on litigation. In his new book, *Pressures on the Press* (London: André Deutsch), Charles Wintour, editor of the *Evening Standard*, writes:

I probably spend more time worrying about the possibility of contempt of court than I do about all the other legal restrictions put together. This is because the law of contempt is vague in detail, the penalties harsh, and, usually, though not invariably, inflicted directly on the editor.

Thus Harold Evans and the *Sunday Times* of London embarked knowingly on a hazardous course when they chose in September to begin publishing articles on the young victims of the deforming drug thalidomide. (In 1967, the newspaper corporation sustained a £5,000 fine in a contempt case.) The thalidomide series was risky because suits claiming damages from the manufacturer of the drug had been unsettled for years—technically speaking, the case remained under traditional British constraints on reporting of litigation in progress. Court retaliation followed, and Evans fought back. The way to unimpeded publication is not yet open, but a February decision places the *Sunday Times* far in advance of any position before held by the British press. In the thalidomide case, the *Sunday Times* was not interfering with judicial proceedings but deliberately trying to bring back to life a litigation that had been all but suffocated by the defendant. This is a legitimate role for the press of any country.

## Bolts from the blue

Every now and again, in scanning the progress of the issues that roil these pages, one finds a thought so germane, a statement that so drives a stake into the heart of the matter, that the editorial typewriter must fall silent. Here are a few selections that made media issues perfectly clear:

Clay T. Whitehead, director of the White House Office of Telecommunications Policy, on CBS's cancellation of an antiwar play, *Sticks and Bones*, because of resistance by affiliated stations: "This is a good example of how the process ought to work."

Earl Butz, Secretary of Agriculture, on the likelihood that the press might say that a 2-per-cent price rise is the equivalent of a rate of 24 per cent a year: "This kind of arithmetic is preposterous, and the urban newspapers ought to know better."

Television Information Office advertisement, Jan. 23: "Those who favor 'counter advertising' say it is needed to promote consumer concerns



and to protect people from misleading advertising. Not true. The fact is that television itself, through news and other programs, has done more than any other medium to focus public attention on consumer and environmental issues."

*From a "Vietnam White Paper" by Sen. Barry Goldwater:* "Through four years of distorted television reports—such as those of CBS during the Cambodian incursion and that of ABC during the Laotian action—the American people were, over the great preponderance of time, given negative and disheartening reports of Vietnam progress. . . . Now, through the worst gauntlet of opprobrium and malicious defamation in American history, the President has brought us to a successful end in Indochina."

*From an address by Bruce Herschensohn of the White House staff (as quoted in Human Events, March 10):* "I feel we have just completed our most moral and responsible decade, in terms of national unselfishness. We have also, in my opinion, just completed our most immoral and irresponsible decade in terms of domestic communications."

*John Paul Johnson, director of federal/state relations for the National Cable Television Association, after NCTA helped defeat a proposal in Columbia, Mo., for nonprofit, municipal ownership:* "It is only the beginning of what must be a nationwide counterattack at the fundamental bias that those that are pure and untainted should control communications."

*"Editor & Publisher" story, March 3:* "An in-depth study of newspaper food section content for the Pillsbury Co. finds unfounded the charges made by critics that food editors are 'tools' of the food industry. . . . The complete report, which filled eighty pages, was presented this week by Pillsbury to food editors prior to a seminar in Los Angeles, where the annual Pillsbury Bake-Off was being held."

*Atty. Gen. Kleindienst, quoted in the Washington Post, Jan. 19:* on the barring of *Post* reporters from White House social events: "I told her [Katharine Graham], 'Don't get so upset. You've got a great paper. Go ahead and run the . . .

thing the way you want. But don't be surprised if the President gets a little upset and does something a little s—y [sic] to you in return."

## Darts and laurels

*Laurel:* to CBS and its weekly newsmagazine program, *60 Minutes*, for carrying out a tough investigation of the allegations of war crimes in Lt. Col. Anthony B. Herbert's book, *Soldier*—this despite the publication of the work by a CBS subsidiary, Holt, Rinehart & Winston.

*Dart:* to Gov. Cahill of New Jersey, for the false equation he drew in vetoing (March 19) a comprehensive journalists' immunity bill: "It is no more acceptable to have the press all powerful than it is to have government all powerful." As people are saying these days, who ever heard of a press suppressing a government?

*Laurel:* to the *Philadelphia Inquirer*, for its use of computer research to disclose inequities in the city's criminal-justice system. The study was carried out by two reporters, Donald L. Barlett and James B. Steele, with the aid of 9,618 punched cards bearing data from court records. The program was designed by Philip Meyer of the Knight Newspapers' Washington bureau, who has just finished a book advocating just this sort of thing. [See page 67.]

*Dart:* to the *Boston Herald American*, for concocting a lurid "suicide pact" out of the deaths, spread over six years, of five young residents of Marblehead, Mass., alleged in the story to be drug users. The boys were not even contemporaries, nor did other details stand up any better, and the story abruptly vanished.

*Laurel:* to NBC News and Douglas Kiker for their wrapup of the Watergate case on March 12. Through the use of film clips of White House comments, Kiker showed effectively not only the lack of frankness by the presidential staff, but the injustice of its attacks on the *Washington Post*, whose reporting has been consistently upheld by the revelations in 1973.

## Publishing's quiet revolution

Cathode ray tubes and computers have invaded the wire services, starting a chain reaction which soon will revolutionize newspaper production.

BEN H. BAGDIKIAN

■ A funny thing happened two days in a row in New York.

I was talking to Paul Eberhart, thirty-seven-year-old associate editor for United Press International, at his desk on the twelfth floor of the Daily News Building in Manhattan when he said: "In the old days . . ." He stopped, his face went blank, and then he grinned sheepishly. He was talking about "the old days"—last spring.

The next day I was talking to Louis Boccardi, executive editor of the Associated Press, eleven blocks away, on the fourth floor of the AP Building at Rockefeller Plaza. In the middle of a flow of intense conversation he said: "In the old days . . ." Then he, too, stopped, put his hand to his head, and broke into a grin. He was talking about April, 1971.

There was a time in the American newspaper business—and about every other place except

Japan—when "in the old days" meant 1453, the year before Johann Gutenberg got disputed credit for inventing movable type. Things stayed pretty much the same until development of Mergenthaler's Linotype machine in 1886, and since then we have had about the same kind of machines run by paper tape.

But without most working journalists knowing it, the fine old fifteenth-century factories they work in are finally starting the terrifying leap from typewriter and lead pot to cathode ray tube and computer. To the naked eye, it isn't particularly visible in most newsrooms. But the underlying changes have begun. It seems safe to predict that in five years most newsrooms will look and sound substantially different. In some places there may no longer be a composing room.

The chief reason for the change is the refinement of communications technology and the delayed perception of the news business that, like any other major industry, it must design its own systems rather than wait for suppliers to make radical changes. The required hardware for the

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revolution not only has been adapted finally to news operations but its price is plummeting. Cathode ray tubes (CRTs), the TV-like screens with keyboards connected to computers, cost \$80,000 in 1969 but now are in the \$5,000-to-\$18,000 range. Optical scanners—computers that read carefully typed copy—cost \$90,000 three years ago and now come in \$60,000 models. Computer time which cost \$200,000 in 1955 now costs \$1. Ten years ago 1 per cent of American dailies used computers; now at least 60 per cent do, though most are still unconnected to their newsrooms.

Perhaps the most automated newsroom of any major paper is at the *Detroit News*, which has forty-eight CRTs and a dozen more on the way. Most *News* reporters no longer use typewriters. From 30 to 40 per cent of all copy there—the AP and UPI main wires, AP state wire, and AP and UPI sports wires, plus most staff-originated stories—is handled electronically without conventional typing or editing with paper and pencil.

Wire service material arrives on regular teletype lines at conventional speeds—about sixty words a minute—but, instead of actuating a teletype printer, the unique set of electrical impulses that represents each key struck in the originating machine goes directly into the *News*' computer. There it activates a letter or numerical character stored in the computer memory.

For locally originated stories, a *News* reporter—or one of the majority who have decided to use the new machines—sits down at the console keyboard of a CRT, the Hendrix 5700, which has a screen that shows eighteen lines of copy in 22-point type. The reporter hits a key called SLUG and his screen shows two blank lines to be filled. The first two characters he types instruct the computer where to send his completed story (LO for local, SP for sports), the next four characters are the first four letters of his last name, and the next six characters whatever he chooses as the slug for his story. He types the edition the story is scheduled for, the date, and then writes his story.

As he types, the letters appear on his screen. If he wishes to delete or add to a line he has typed, he uses a set of command keys to move a cursor—a bright oblong of light—over the place he wishes to alter, types in the change, and the screen shows

these and automatically makes room for the additions or closes up for deletions. He can move the story up to make more room, or roll it down to look at an earlier typed portion. If it is an urgent story he can send it to the proper desk in "takes" by pressing a MORE key. If he writes the story as one unit he looks it over to his satisfaction, then pushes a key marked END which sends it into the computer.

At a major desk of the *News*—say, the city desk—the editor can type LO for local copy, then press DIRECTORY, and this instructs the computer to display on the editor's screen a list of all the stories placed in the computer for his desk's use. He can call up any story on the list by pressing the NEXT key, then read the whole story on his screen, edit it, and type CE to send the story to the news editor. The news editor reviews the story, evaluates for length, column width, and body type, and makes notes on where it will go in the paper with size and style of headline (at this point, still written on paper). Then, by typing CE, he sends the story to the copy editor, who gives it a final perusal and a headline. When he is finished, typing GN sends it to a slotman, who gets a hard copy printout on a 200-line-a-minute impact imprinter. His hitting a key marked COMP ROOM tells the machines to send the story to the computer that automatically produces paper tape at about 1,000 words a minute; the paper tape then is fed into a linecaster that sets at the conventional fourteen lines a minute.

This procedure permits complete processing of a story ten minutes before the lockup deadline for a page. It also allows some of the copy for the early home-delivered editions of the *News*, an afternoon paper, to carry a deadline of 11 or 11:30 a.m. instead of the former 8 a.m. And this is just the start of a comprehensive system to be used when a new plant is completed in Sterling Heights, twenty-two miles north of Detroit. The plant will contain all the composing room and press facilities for the main editions of the paper (circ. 700,000), leaving in the downtown headquarters only news, advertising, and executive offices. In addition to hot type, the new plant will use photocomposition cold type handled by computers, with type set at 170 lines a minute. The

communications link to the downtown offices will be a one-way "conditioned" (somewhat improved) telephone line costing \$200 a month.

While the *Detroit News* has gone as far as any major paper in converting its newsroom to electronics, the most complete transformation from the traditional Linus blanket of reporters (the typewriter) and of editors (paper and pencil) has already been completed in those unlikely places, the Associated Press and United Press International.

The wires would seem unlikely to change, first, because they are creatures of (for UPI) their clients or (for AP) members. Most newspaper client-members are interested in paying as little as possible for their news, want little disturbance in their standard procedures, are themselves geared to the Gutenberg-Mergenthaler tradition in their factories, and distrust electronics. And broadcast stations—the majority of client-members—want simple, short items and assurance that the end of

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## "Can eliminate most of our newspaper factories . . ."

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the world will not be announced without thirty minutes' notice.

The wire services internally have been the headquarters of the "green eyeshade school" of American journalism, with home-office bureaucracies populated by a disproportionate number of Old-Boy associates—a large number of them senior workers, since the New York headquarters was the top of the hierarchy. It also has been at wire service headquarters where one saw something bordering on genius in the way experienced editors handled paper, for into their newsroom, through ninety or more teletype receivers, came miles of paper every day.

"In the old days" referred to by Eberhart and Boccardi copyboys would tear off each story

as it came in and distribute copies to the appropriate desks. These were stories filed by correspondents and bureaus all over the world, stories to be weeded, edited down, combined, rewritten, and then transmitted to clients according to which specialized service he paid for and what interests he was, in the judgment of the editor, likely to have. (UPI New York, for example, handles 3 million words a day, counting both incoming and outgoing—the outgoing being about 80 per cent of what came in.) The editor scanned the story, decided on its priority (or on the appropriateness of the priority indicated by the originating bureau), and put it on the stack of other such stories on his desk, remembering what stories he already had in the pile (updates and corrections came in continually), and rearranging the pile to change priorities as new stories arrived by the minute. When the editor finished editing the story on top of the pile, or a rewrite he had ordered, and marked it for transmission, he handed it to a telegrapher (teletype operator) by his side who then punched out the story on paper tape. This, on completion, was fed into the teletype transmitted to clients of that particular wire.

The wire service newsrooms looked like badly managed paper recycling plants, with endless rolls of teletype paper snaking around machines, and desks piled high. The banks of clattering teletype machines sounded like the shuttle room of a Woonsocket textile mill. There were always stories of oldtimers who, after retirement, couldn't sleep without the customary seven and one-half hours of the noise.

It's gone, practically all gone, at UPI, and it's gone at AP regional news headquarters and is on the way out in Rockefeller Plaza. At UPI the only sound is a soft squirting noise from about sixty Extel printers typing abstracts of stories being stored in the computers downstairs; the sound is inaudible from three feet away because the sixty-word-a-minute machines imprint by delicate letter- and number-shaped perforation of paper whose interior is purple, producing purple letters. Only occasionally is there the noise of a typewriter or the nostalgic sound of two remaining teletypes.

What has replaced the traditional machines



of the trade are TV-like consoles with noiseless keyboards which enable editors or rewrite people to process stories in the same modern way they are handled at the *Detroit News*. What a client gets now is not very different from before—not different enough to impress many newsrooms that something basic has happened back at headquarters. He gets cleaner copy—from 50 to 90 per cent fewer typos and other errors because the editor, not a teletype operator, is the last handler of the story; this saves the newspaper client money, since many stories arrive on teletypesetter tape that is fed directly into composing room machinery. The client also gets more copy in the same time (even the best teletype operators must pause to sneeze or read illegible editing marks, or must feed tape they have just punched into a teletype sender). The computer maintains a queue of stories and sends them electronically and continuously without pauses. UPI figures it sends about 30 per cent more copy per day because of this.

The ultimate significance for newspapers, however, is not fewer typos or more news-per-hour, but the availability of the wire services' prodigious output in digital form in computers—in electronic impulses that can be transmitted at extremely high speeds when clients decide to get machines to receive them that way. These same digital impulses that carry news stories can, if publishers standardize and move toward twentieth century production techniques, practically eliminate the major part of their newspaper factories—the composing room, stereotyping, photocomposition setups for offset, and conventional plate-making. In seven years, says Ronald White of Gannett, one of the more knowledgeable experts in the field, it will be possible for electronic impulses from wire service headquarters, plus others that will represent local copy, to be used to etch printing plates directly without any intervening processes.

The AP and UPI systems, while both using electronic "typewriters" and computers, are organized on different systems. UPI has one headquarters for all its copy. Its three RCA Spectra 70/45 computers on the eleventh floor contain all UPI national news and practically all its inter-

national news. Instead of the ninety teletype receivers and thirty senders that used to fill the New York newsroom, there are now thirty-four VDT's—Video Display Terminals, the phrase used for the TV-like screen with keyboard connected to a computer. UPI uses the Harris-Intertype 1100. Five machines in the UPI Washington bureau and three in Chicago handle the system's national broadcast wire.

UPI bureaus and correspondents still file as they always did, by teletype, but now their stories go into computers. At the same time a conventional copy is made on a teletype receiver, and an abstract of the story—most of the first paragraph—is sent instantly by the computer to an Extel printer next to each editor that the originating bureau thinks will be interested. Some still find it easier to catch up by scanning the regular teletype report. But others use the Extel abstracts and then ask the computer to display on their screen all the slugs of stories stored in the past twenty-four hours.

Each slug on the screened list has a unique code number, the number of words, and its priority ("O" for ordinary, "B" for Bulletin, "U" for urgent, "M" for message, etc.). If an item interests the editor, he types out the code for the story and almost instantly it appears on his screen. If it is longer than the twenty-five lines the screen holds, he pushes a button that moves the story up, showing the rest of it. His chief editing tool is the cursor—on this screen, a white oblong.

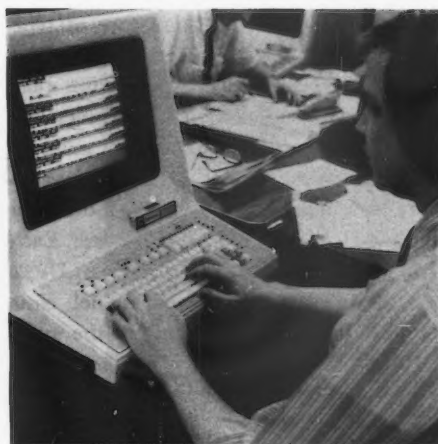
(There is a substantial Spanish-language service. For this the editor-translator calls up the English-language story on his screen and types out the Spanish translation paragraph by paragraph, the Spanish appearing on the screen just below the English paragraph. When the translator is satisfied, he pushes a button, the English paragraph disappears, and he goes on to the next paragraph.)

UPI is centralized, even for inter-bureau messages. "In the old days," if Atlanta wanted to send a message to San Francisco, it waited for a chance to break into the wire with the regular news. Now it sends it to the New York computer,





—UPI Newspictures.



—AP.

Newsman editing copy electronically on UPI video display terminal (left); AP day supervisor checking directory of stories available in computer at AP general desk in New York (right).

which routes it directly to San Francisco without the Atlanta operator having to wait for a chance to get on the wire.

The UPI's three computers are specialized. One handles all the regular news wires, one stock listings, and the third does "batch processing" and serves as a backup. Each can handle the job of any of the other two if there is a breakdown. If there is a disaster—a blackout in New York City, or all three computers die simultaneously for a long period—UPI says it can decentralize and allow regional bureaus to handle the news on their regular teletype line network. Obviously, it would be a time-consuming switchover. Four times in the first year's operation, there have been computer breakdowns of an hour or two, all during the early months.

(UPI is considering regionalizing its automated operation sometime in the future, making state and regional news available in local computers, which would assist New York in the event headquarters has a blackout. Also planned are backup generators to supply electricity if any area loses public power.)

Associated Press has chosen a different strategy. It has created ten regional headquarters it calls "hubs" (including Boston, Philadelphia, Dallas,

Kansas City, Atlanta, Los Angeles, Seattle, and Denver). These hubs do for their surrounding states what the UPI New York office does for the world. Each of the thirty-eight bureaus and seventy-five smaller offices used to be independent originating points for AP news, waiting to break into regional or main wires to put items into the system, and each state (except for the more sparsely populated) controlled its own selection and distribution. Each such former operation had its own teletype operators, except for the individual correspondent offices, where the reporter punched out his own stories.

All the AP hubs now have their own computers, fed both by CRT-keyboards from their regional offices and by datafax, the facsimile machine that transmits a page of copy in four minutes on a special telephone line. With the hub system, the outlying offices no longer need to monitor all the AP wires or wait for a break to insert their stories—or hire teletype operators. At the hub, an editor simply hands a teletype operator any copy that arrives in paper form and the operator types it into the hub's computer with the usual instructions for priorities.

AP headquarters in New York still looks and sounds pretty much like the conventional wire

service newsroom—lots of teletypes, lots of typewriters, some Extels, but still the endless ribbons of teletype copy. It is a smaller operation than UPI's (about twenty-five electronic machines and a small computer) because only the main national news wires go out from Manhattan; most news operations are decentralized. AP selected different equipment, the Hendrix CRT and computer. Each CRT is less expensive—\$14,000 each—than UPI's Harris, which in the UPI-altered model costs \$18,000, and both types do essentially the same thing. But the AP machine has a black background with white letters; its cursor is a constantly

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## *"Unions already are jockeying for jurisdiction . . ."*

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flashing oblong; and the keyboard is more intimidating—less differentiation between regular alphabetic and numerical keys and command keys, and some keys with triple functions.

The wire services have been the first to convert to electronics because the technology of cathode ray tubes connected to computers has been the most highly developed in communications, and the wire services are purely in communications—the collecting and transmission of news. They could convert because the biggest human and technological problem in newspaper modernization—the production of printed papers—isn't their responsibility.

There was, of course, the problem of human adjustment and relations with unions. Yet, to the astonishment of everyone involved, there was no massive resistance to the new machines. AP introduced its machines in the Columbia, S.C., bureau, which employs four people, three of them AP veterans. The results were so positive that Wes Gallagher, chief of AP, said he didn't believe the reports his subordinates gave him. "I was coming back from the South and I drove to Columbia

to see for myself," he says. "It was true. Everyone liked and accepted the new system, including the older men."

At UPI, a set of machines was put in a room where the staff could "play" with them (and make mistakes) privately. Eberhart says that within four hours most men could run the machines and within two weeks feel comfortable with them. AP, whose machines are less simple looking, report slightly longer adaptation time.

William Laffler, who has been with UPI twenty-eight years and now is a general news editor, says, "I was skeptical at first but I found things easier. The screen is always clear and even. Before, when reporters did rewrite, some had clean copy, some had dirty copy; some had black ribbons, and some had faded ones; and when you read all day it's annoying. Also, I can see what I've got in one glance."

Laffler pushed a button and instantly on his screen twenty-three stories were listed. He pushed the code number beside one slugged FLU and instantly there was a story from Atlanta, by Charles S. Taylor, that looked like typewritten copy except it was on the screen, without the instability of normal TV pictures because the screens are finer and are synchronized so that no "jumping" occurs. Laffler saw a style error—a surplus hyphen—and pushed the delete button. And he thought that FLU should go above a story marked CARS, whose first paragraph he could see on his Extel; within seconds he had made that change.

Wire service executives appeared so euphoric about acceptance of the new machines that it seemed wise to check with representatives of the Wire Service Guild. Norman Welton, administrator of the Guild (1,400 members in AP, 950 in UPI, 80 per cent of them newspeople), confirmed it: "Last spring we were in negotiations and an older member from UPI came to me and said, 'We'll go on strike before we'll let them move in those machines.' Two months after they put in the machines I went through the UPI shop and here was this same guy boasting to a visitor how he could do things with the machine better than he could with paper and pencil."

The Guild does have some problems, rectified in practice but not yet in contracts. Some mem-

bers are concerned that newsmen will be judged on their technical proficiency with the machines rather than their editorial and reportorial judgment. They do not want editorial people to be given other persons' work to keyboard—to them, tantamount to having to retype another reporter's story. The Guild also is concerned about possible radiation effects from cathode ray tubes, and about eyestrain. However, a UPI-commissioned study by the University of Florida Radiology Department found that editors receive less radiation than is normal from TV sets; another study by the Ophthalmology Department of the Yale Medical School found no eyestrain problem. Welton says he wants contracts to affirm present practices, plus further study of eyestrain and radiation.

For all this, there is a paradox in the rapid electronic systems inside AP, UPI, and a few newsrooms like that of the *Detroit News*: While internal work is handled at electronic speeds, the national news transmission network is still basically a voice-grade telephone or telegraph line with the ancient capacity of teletype machines—officially, sixty words a minute but actually, with pauses and garbles, an average of forty-five. No matter how fast AP or UPI put together their news reports with the new gadgetry, with few exceptions it chugs out of their computers at forty-five words per minute. Some customers—about forty for UPI and 200 for AP—lease (for approximately \$180 a month) Dataspeed machines which will receive 1,050 words a minute and produce hard copy, punched paper type, or computer signals at the same rate. Other available machines receive at 2,100 to 3,000 or more words a minute—but they are not in significant use.

As of now, few of AP's or UPI's customers feel compelled to lease or buy high-speed receiving equipment because their composing rooms can't handle material much faster than their old teletypes receive it. A few organizations have started to convert, however. Booth Newspapers, Inc. has its headquarters in Ann Arbor for the eight Michigan papers in its group (*Ann Arbor News*, *Bay City Times*, *Flint Journal*, *Grand Rapids Press*, *Jackson Citizen Patriot*, *Kalamazoo Gazette*, *Muskegon Chronicle*, and *Saginaw News*). Booth's Ann Arbor computer receives three AP



—UPI Newspictures.

Video display of stories in UPI's A-wire queue or "bank," showing editor the item number, slugword, priority, wordage, and time story will clear wire.

and three UPI lines. As each item goes into the central computer, a teletype copy is fed to each member paper. An editor at each decides which story he wants to use and, through a keyboard, puts in a call to the Ann Arbor computer, typing out the date, index code for the desired story, and the size and style of type and column-width in which he wants the story set. Almost at once he receives the story at 300 words a minute in the form of punched tape already coded for the proper typesetting. Then the tape is fed manually into a linecasting machine.

Savings for Booth so far total about \$50,000 a year in line charges, plus the wages (\$120,000) of at least eight compositors no longer needed. Within five years Booth hopes to compose whole pages on its CRTs. The page then could be in electronic signal form which could make a printing plate directly, either by computer-instructed laser beam or production of an offset plate. Or there could be plateless printing with some magnetic, electro-

static process that draws dry ink spray onto magnetized moving newsprint.

Booth is switching totally to cold type, which permits electronic photocomposition, the ideal mate to computerized copy. To do this quickly, the chain did what most publishers avoid—rapid writeoff of existing hot metal equipment that is heavy, durable, and operable for years to come. This writeoff, for \$1,250,000, has reduced dividends by 31 cents a share but promises mammoth production savings.

Gannett acquired one of the most accomplished technologists in the field by hiring Ronald White

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## *"Shift production savings to news and editorial . . .?"*

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away from a less progressive Scripps-Howard organization, and the chain now is trying alternative systems in two plants before automating its fifty-three papers. Knight Newspapers expects all its plants to be completely converted to photocomposition—and thus totally open to use of electronics—by 1975. All fourteen Lee papers are expected to be converted by the end of this year, using a variety of electronic devices, including some from Japan. The New York Times has been negotiating with the International Typographical Union for fundamental changes in production—which accounts for 42 per cent of its expenses. The ITU has accepted in principle the need for modernization, and seems chiefly concerned with guarantees of lifetime pay for displaced workers plus ITU jurisdiction over new integrated systems.

The basic union problem is not simply displacement of individual workers; new devices usually aren't adopted until they save so much money they permit owners to pay displaced workers until death, retirement, or voluntary moves to other jobs. The basic problem is that truly radical change in newspaper production combines many traditional steps into one operation. This entirely

eliminates some unions—stereotypers and engravers aren't needed in offset plants—and in others raises the issue of which union controls a machine that combines the work previously done by two or more different classes of employees.

The CRT connected to computer, for example, allows the reporter or editor to write and edit the story, automatically line it up for transmission (if at a wire service) or (if at a newspaper) cut tape or drive a photocomposition machine. Is this an editing or a composing function? In a unionized paper, do the keyboard and computer command buttons belong to the Newspaper Guild or the International Typographical Union?

At UPI the issue went to arbitration, producing a decision that the CRT-computer is an editing machine. Therefore the Wire Service Guild has jurisdiction, and teletype operators are being phased out. At the Detroit News the issue remains unresolved. The paper has no Guild representation but does have the ITU, whose contract gives it control over preparation of all tapes for driving linecasting or photocomposition machines. Management and the ITU held talks for months while the News experimented with its new system. Last October, while talks were still inconclusive, the News put the new system into operation. The paper offered to go to arbitration and the ITU agreed—meanwhile obtaining an injunction against the new process pending completion of arbitration. The injunction since has been lifted, and at this writing arbitration was continuing.

One of the most important decisions in the field was the so-called Kagel Award in San Francisco (named for Sam Kagel, chairman of the local board of arbitration for the San Francisco Newspaper Printing Co.—joint production venture of the Chronicle and Examiner—and Bay Area Typographical Union No. 21). Almost everyone has a different interpretation of the decision, some calling it a "victory" for the union and some a "victory" for management. One reason for the ambiguity is that much of the decision concerns optical scanners, for which copy is typed with special clarity on electric typewriters, then read by computer and converted either to tape or more direct composition, eventually including possible whole-page makeup. Some systems, like those at AP,



UPI, and some newspapers, do not use scanners.

The Kagel Award permits all "scanner-ready" copy to be processed directly by automatic machines no matter who produces it—presumably including reporters, editors, or members of other departments. "However," it specifies, "no typing pool will be created or used to prepare such copy." So unless reporters and editors become precision typists—which the Newspaper Guild wants to avoid in order to retain emphasis on journalistic skills—ITU members will do any retyping for computer-scanning.

The Kagel Award also provides, "If wire service copy is received in a form directly entering the computer, composing room employees will operate the CRT Terminals to make all alterations indicated by the editorial departments on the 'hard' copy." The agreement further specifies that the ITU will do all updating of texts and news, all corrections and alterations, and—perhaps the most significant phrase in the agreement—"original keystroking to be used for typesetting." This seems to mean that editors may not operate the CRT keyboards to edit or rewrite stories which can be sent directly to computers for automatic tape-punching or photocomposition. Either editors will continue to work with traditional paper and pencil, and hand copy to an ITU member to retype, or, less likely, employ an ITU member at the keyboard in the newsroom to receive verbal instructions from editors.

The outcome of these battles—just beginning

at most newspapers—will determine who has maximum control over the editing process and how much money owners can realize from innovations. (Even with duplicated typing of copy, the new machines will make possible vastly greater profits—reducing some production costs 50 per cent.) But the stake of journalist and public is not in which unions emerge ascendant nor in the added profits of an industry which already records the third-highest profit of all American manufacturing industries. What matters is the impact on the quality of the product. Will news organizations, already fabulously profitable, shift production savings to the heart of the business—news and editorial?

The dream of all journalists and conscientious owners has been to free the American newspaper from being mostly a factory. That liberation has now begun. The result can be a continuing relatively meager expenditure on the editorial product, with small offices downtown transmitting editorial material to an automated printing plant. Or it can be the realization of the dream that most of a paper's energy will go into covering its community and region, that leaders of news organizations will no longer be executives rewarded for their commercial and mechanical management efficiency but men and women who are essentially recorders and analysts of social and political events—directors of enterprises whose place in society under the First Amendment has more to do with ideas than with producing pieces of lead.

### Which wire service did you read?

ROCKLEDGE, Va. AP — A number of American servicemen now listed as missing in action may be alive in captivity somewhere in southeast Asia, Secretary of Defense Elliot Richardson said Friday.

—AP, March 16.

SCOTT AFB, Ill. UPI —  
With three-fourths of the United States' prisoners of war home, Secretary of Defense Elliot Richardson held out little hope Friday that more than the 562 already identified by the Communists may be found alive.

—UPI, March 16.



## The selling of the astronauts

Writing contracts with *Life* and other organizations restricted access to American space explorers during one of man's historic adventures. Was this wise?

ROBERT SHERROD

■ My involvement with the astronauts began in 1967, soon after three of them had been killed in the fire that destroyed Spacecraft 012 at Cape Kennedy. I had recently returned from a *Life* assignment in Vietnam and now the editors wanted me to write an article about the crew that would replace the men who had been asphyxiated on Pad 34. "See what you make of these new guys," said the managing editor, George Hunt. "Live with them a couple of months and do a piece before they go up. I hope you'll make them come alive." He added: "We are not getting enough out of our contract with the astronauts." Naturally, I would have three staff members to help out. (Ah, *Life*, when will we see your like again?)

I spent about a month at Cape Kennedy and Houston. I found the astronauts friendly and freely available. Walter Schirra cooked steaks *al*

*fresco* for the *Life* crew at his bungalow a couple of miles from the Manned Spacecraft Center. Walter Cunningham recited his up-by-the-bootstraps career in interviews that totaled about ten hours. Donn Eisele made flapjacks for his son's Cub Scout pack, a homey scene, duly photographed by *Life*, with no foreboding that Eisele would later achieve notoriety of sorts by becoming the first divorced spaceman. Group activities were also in order: these three astronauts, the likeliest to be tapped for the first manned Apollo mission, went sailing together (though they didn't really like each other very much) for the benefit of *Life* photographer Ralph Morse. *Life* gave a dinner party for the three astronauts and their wives in the private dining room of Houston's most expensive restaurant.

It took some time for the truth to sink in: these famous young men were doing handstands for *Life* because they were being paid for it. They were inaccessible to other media except on "official" occasions such as press conferences. Insofar as their "private" stories were concerned, they were

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Robert Sherrod spent seventeen years as editor and writer at *Time* and *Life*, and fourteen years at the *Saturday Evening Post*. His books include *History of Marine Corps Aviation in World War II*. He now is writing a book about the space program.

in *Life's* pocket. The purpose of this article is to examine the pros and cons of that arrangement.

My story never came off, except as a picture essay following the announcement months later that Schirra, Eisele, and Cunningham had been designated to fly the first Apollo mission (which took place, not in a couple of months, but more than a year and a half later). In this picture story the astronauts came out, as usual, deodorized, plasticized, and homogenized without anybody quite intending it that way. Buzz Aldrin, forever fated to be labeled "the second man on the moon," is writing his autobiography which, he avows, "won't be like *Life*"; Walt Cunningham, now an ex-astronaut also, laments, "Instead of letting us be human, they wanted us to act like Boy Scouts, live in a monastery." Blame it, at least in part, on the exclusive-story system, which accorded the National Aeronautics and Space Administration (NASA) the power of censorship over whatever the astronauts signed. Even though this censorship was rarely invoked, it was inhibiting; so was the necessity of *Life's* making the astronauts look good, and vice versa.

Even before selection of the first seven astronauts in 1959, NASA's chief of information, Walter T. Bonney, anticipated heavy pressure for access to the seven. Therefore, a month after the Mercury astronauts were chosen, he drew up a policy memorandum on the subject, in consultation with Department of Defense officials (the first seven were all test pilots on active duty). On May 8, 1959, NASA sent the policy statement to President Eisenhower's staff secretary, Brig. Gen. Andrew Goodpaster. Goodpaster approved. The memorandum stated:

The Mercury astronauts are free, singly and collectively, to make any agreement they see fit for the sale of their personal stories.

With this memorandum, a Pandora's box was opened which spewed forth demons for the ensuing decade, involving not only NASA but also Congress, a large segment of the press and public, and the President of the United States. A chronology of the futile efforts to harness these demons provides one of the more illuminating morality tales of our times.

Although Bonney was stepping into a gray area where definitions had long been difficult to arrive

at, he felt that there was enough precedent for allowing the astronauts to sell their *personal* stories (as opposed to their *official* stories, which were conceded to be public property). In 1958, Cmdr. William R. Anderson had signed a series in the *Saturday Evening Post* about his voyage under the polar ice in the submarine *Nautilus*. Many admirals and generals had been paid by magazines to write their stories, including Maj. Gen. William Dean on his "Three Years as a Dead Man" (about his time in a North Korean prison). Bonney's chief objective was to coordinate the astronauts' literary activities, lest "John Glenn write for *Life*, Alan Shepard for *Look*, and Gordon Cooper for the *Post*, and their wives for various women's magazines." Bonney sought the advice of a Washington lawyer, Leo DeOrsey, who represented several show business and sports figures. DeOrsey was so enthusiastic about the project he offered to represent the astronauts without fee or expenses.

The astronauts signed a contract with DeOrsey on May 28; it specified that all seven would share the proceeds from "the literary work, motion pictures, radio or television productions, including personal appearances for compensation (other than those in line with their official duties)." During the summer of 1959 DeOrsey then put out feelers to various magazines, inviting bids for the "exclusive personal stories" of the astronauts and their families, the bidding to begin at \$500,000. The only serious bidder turned out to be *Life*, which was the best equipped, since it could publish within a week of an event. The *Life* bid, not revealed for two years, provided that each of the seven astronauts would receive about \$70,000—close to \$25,000 a year for the duration of Mercury. For pilots earning an average of slightly over \$10,000 a year—before the quantum raises in military pay—this amounted to riches beyond their dreams.

*Life* announced its coup in two pages of its Aug. 24, 1959, issue. The rest of the press then landed on NASA with both feet. Alfred Friendly, then managing editor of the *Washington Post*, summarized their complaint: "The story of what the Mercury astronauts do in Project Mercury belongs to the public. It cannot be sold by anyone to anyone."

Bonney himself put his finger on the crux of

the problem, "How do you draw the fine line between the official story and the personal story which belongs to the astronauts?" NASA, attempting to draw this line in its original policy statement of May 8, 1959, provided that "all information reported by the Mercury astronauts in the course of their official duties which is not classified to protect the national security will be promptly made available to the public by NASA."

*Life's* first article, in the Sept. 14, 1959, issue was emblazoned, *READY TO MAKE HISTORY*, and ran eighteen pages. The following week brought fourteen pages about the wives, *SEVEN BRAVE WOMEN BEHIND THE ASTRONAUTS*. Before Shepard's flight *Life* devoted three cover stories and scores of pages to the astronauts and their families. How much of this was official, how much personal? Alfred Friendly, invited by NASA to review what was exclusive in the first article, concluded—rather hastily, I believe—that he had been wrong. Writing in the *Bulletin* of the American Society of Newspaper Editors, he confessed,

*Life's* story was more complete, more interesting, and better presented than stories on Project Mercury presented elsewhere. But—unless there are some shenanigans not now evident—it appears to have done it by the expenditure of money, manpower, space, brains, and ingenuity, rather than by favored or indiscriminatory treatment. Nothing in the story seems to be in violation of NASA's policy. And, except for the question . . . about federal employees writing for pay about the work they are already being paid for, there would seem to be no grounds for complaint that NASA acted unfairly or in a discriminatory fashion.

Although NASA was to make much of Friendly's warm comments, they were not universally shared. The question of ethics would not go away, as NASA was reminded in a letter from Turner Catledge, managing editor of the *New York Times*, to NASA administrator James Webb on Aug. 27, 1962:

I am very grateful that you and your associates sought the opinion of the *New York Times* and of myself. . . . The more I consider this total situation, the more unhappy I am that a dollar sign should be placed on a national accomplishment of the military services, the National Aeronautics and Space Administration, and the astronauts themselves. . . . [W]hatever property rights there may be in the stories of the astronauts, and I per-

sonally quail at the notion that there should be any property rights at all, these property rights belong to the American people and not to individual citizens.

In an editorial next day the *Times* asked:

Who is to say that an astronaut is more deserving of special reward than a sergeant in a helicopter, risking his neck in the jungle warfare of Southeast Asia?

President John F. Kennedy appears to have been against the astronaut contracts early in his term. Pierre Salinger, his press secretary, announced on March 6, 1961, that there would be no more private sales by astronauts after the original Mercury contracts expired. But a year later, as the time approached for a second group of astronauts to be chosen, Kennedy called in James Webb to discuss this and other matters. Webb suggested setting up "a government program of insurance

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## "The question of ethics would not go away . . ."

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or other recognition of the hazards and nature of this program and thereby preclude any further arrangement such as the contract with *Life* magazine." The President agreed that "we should avoid the appearance that the protection of these men and their families had to be taken care of by some private arrangement," and asked Webb to see what could be done.

Webb at this time was particularly incensed by the *Life* arrangement. In late January, he had learned, when John Glenn was perched atop an Atlas for launch (which was scrubbed), that Glenn's wife and children were at their home in Arlington, Va., with a *Life* photographer and staff writer Loudon Wainwright. Webb was concerned on two counts: 1) Vice President Johnson was planning to call on Mrs. Glenn during the flight and would want privacy, and 2) suppose something "unforeseeable" happened to Glenn and

*Life* published photographs of the Glenn family in its agony?

Webb demanded that Glenn explain. Equally incensed, Glenn replied that the *Life* men were personal friends and they had a right to be in his home. Webb thereupon telephoned the publisher of *Life*, C. D. Jackson, and "stated his firm conclusion that it was not in the public interest to have a *Life* writer and photographer in the Glenn home during the course of the flight." Jackson retorted, according to a long memorandum of the telephone conversation, that *Life* had been "pushed around" by NASA and had not received its money's worth. "He said everything *Life* had done had been aboveboard and out in the open, and the only reason *Life* had the contract was because they were willing to put the money on the line." Furthermore, said Jackson, notwithstanding the *Life* contract, NASA had consistently made the men available "to the press, for television appearances, etc., in such a way that everything had been in the public domain with practically nothing left over for *Life*." When the launch of *Friendship 7* took place three weeks after this conversation, *Life's* team was in the Glenn home. Result: ten pages on the Glenn family in the March 2 issue.

At the White House the astronauts' contract was opposed by Salinger, McGeorge Bundy, and Theodore Sorensen, who was to write in his book *Kennedy* (1965) that the President "did not approve of the rights granted them by his predecessor to make large profits through the exploitation of their names and stories while in military service." This is oversimplification, as we shall see.

NASA's deputy general counsel, Walter Sohler, drafted a memorandum on April 17, 1962, for a meeting that day between several other officials of NASA and the Defense Department, including Defense's general counsel, Cyrus R. Vance, and Arthur Sylvester, both of whom strongly opposed outside writing activity by military personnel. Sohler's draft contained the statement:

It is NASA's intention not to approve contractual arrangements of the *Life* magazine variety in the future. . . . In this way, no segment of the press can be said to have been placed in a privileged or exclusive position.

The new policy was never put into effect. Too

many unanswered questions remained. Technicians working on boosters at Cape Kennedy earned more than the astronauts were paid as military officers. How could the astronauts' pay be raised—by making them civilians? X-15 pilots were paid \$16,000 (Neil Armstrong) or \$18,000 (Joe Walker) a year. Would Congress pass a special act giving the astronauts a brevet rank? Or a special insurance arrangement so that their families would be taken care of "in case of disaster"? NASA set up a nine-man committee to answer such questions.

Meanwhile, the astronauts themselves began to man the barricades. Webb noted on May 3 that some of the astronauts had got to Vice President Johnson at his ranch and complained that "they have been cut from behind in connection with the *Life* contract," whose prospective demise they had read about. Also sometime early in the summer John Glenn, who had caught the fancy of the Kennedy family after his orbital flight in February, spent a weekend at Hyannisport, Mass. While they were sailing on the *Honey Fitz*, President Kennedy asked Glenn what he thought of the decision to permit the second group of astronauts no

The Astronauts' Personal Stories—in their own words—only in LIFE

## Mankind's Greatest Adventure

The Editors of LIFE take great pride in announcing that the personal stories of America's Astronauts will appear only in LIFE. The conquest of space has been one of man's most persistent dreams since he first looked up and saw the stars. Now these seven brave men have embarked on that great adventure.

Beginning today, their own stories . . . in their own words . . . will be published exclusively by LIFE. When one of the seven at last rides a rocket into orbit around our world, he will personally write the first-hand account of his adventure for LIFE readers alone.

The Editors of LIFE believe, unreservedly, that the story of the Astronauts is the most important series they have ever published.



OUT TODAY only in LIFE

Life promotion ad, New York Times, Sept. 9, 1959  
—"How much of this was official, how much personal?"



contract. "I did not deny the old argument that a soldier going into combat might share an equal danger with astronauts," said Glenn later, "but I felt that if there was enough interest in that soldier's home life, background, childhood, etc., to reporters, then he, too, should have the right to receive compensation for opening his home, his family, and his innermost thoughts to public scrutiny that would not otherwise be available."

According to Glenn, "President Kennedy said this was certainly the first time he ever really understood what the contract covered."

On July 26, 1962, Walter L. Lingle, Jr., NASA's Acting Assistant Administrator for Public Affairs, prepared a paper for the ad hoc committee which conceded that most public affairs officers of NASA and the White House opposed a *Life*-type contract. It then went on to list numerous benefits such a contract offered NASA, including:

- 1) *Life* had well handled the astronauts, who loved the uncritical stuff printed about them as well as the money it brought in.

- 2) Except for the *Life* contract, "It is probable that a great deal of the material about their families . . . would not have appeared at all . . . ; this has been of real value to our public affairs program."

The committee, upon meeting July 30, had before it the recommendations of Air Force Lt. Col. J. A. Powers, the Manned Spacecraft Center's information officer who became almost as well known in his role as the "Voice of Mercury Control" as did the astronauts themselves. Under a contract, said "Shorty" Powers, the astronauts were manageable—"rather than seven or fourteen continuing problems it reduced itself to the handling of a single system." The astronauts divided the *Life* proceeds equally, eliminating competition among them for the sale of their stories. NASA's right of review under the contract made certain that NASA controlled what the astronauts said. "The inclusion of the wives in the contract eliminated the problem of the Government having to 'manage' their affairs."

After hearing these arguments the ad hoc committee listed six advantages to the Government in having the astronauts sign *Life*-type contracts.

All of a sudden NASA had discovered that the

contract not only benefited the astronauts; it made things easier for NASA, too. The committee voted 5 to 2 to let the astronauts continue contracting. All that remained was to get White House approval.

On Aug. 30, Lingle and Richard L. Callaghan, administrator Webb's assistant, went with several others to see President Kennedy, Salinger, Bundy, and Sorensen. According to Callaghan's memorandum of the meeting, the President stated at the outset that "he felt the astronauts should be permitted to continue to receive some money for writing of a personal nature inasmuch as they did seem to be burdened with expenses they would not incur were they not in the public eye." Mr. Kennedy did feel that "there should be strict control of their investments," and "cited the proffer of homes in Houston as an example of the type of situation that should be avoided in the future." Despite their known opposition, Salinger, Bundy, and Sorensen observed only that present policy should be "tightened up"; there was no more talk of "changing the policy in any drastic measure."

Callaghan's summary of the President's desires—important to note in view of later developments—included: 1) make available to all news media at debriefings and press conferences a more comprehensive presentation of the official aspects of space missions in which the astronauts participate; 2) afford to the press additional access to NASA personnel (including the astronauts), NASA installations, and NASA facilities to the extent that such access does not impede the agency's programs or activities; 3) *edit more stringently the material made available by the astronauts for publication* [italics added]; and 4) restrict extravagant claims by publishers who attempt to overemphasize the exclusive nature of material received from the astronauts for publication.

The newspapers of Sunday, Sept. 16, carried the NASA assurance of "equal access by all news media to the astronauts' stories of their flight missions"—an ambitious pledge that proved impossible of enforcement—and, as if to guarantee that astronauts would be wrung dry before the "personal contractor" could get to them, promised a second post-flight news conference to "selected representatives of various news media." This attempt to pool copy never worked out, either. Next



day, the second group of astronauts was announced: the nine men who would fly the Gemini and Apollo missions. They included names, such as Borman, Stafford, and McDivitt, that would become as famous as Glenn, Shepard, and Cooper. The list also included the first two civilian astronauts, Elliot M. See, Jr., who died in an accident before he ever flew a spacecraft, and Neil A. Armstrong, destined to become the prime history maker of them all.

Several months later one of the group, Lt. Cmdr. Charles Conrad, Jr., pointed out that while the second group was being screened they were given to understand that no selling of their stories

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## "For Field the arrangement was a disaster . . ."

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would be permitted, but "the President is our ultimate boss. If it is all right with him it is all right with us." The nine new astronauts designated as their agent Conrad's friend Harry Batten of Philadelphia, president of the N. W. Ayer advertising agency, who, like the Mercury men's agent DeOrsey, agreed to serve without pay. The second group had a long wait. A tumultuous year elapsed before a contract could be negotiated for them and for the seven original astronauts.

Late in 1962 James M. Godbold, *National Geographic* magazine's photography director, drew up a long-term plan for the astronauts' personal stories up to and including the moon landing. Godbold, a former Marine Corps fighter pilot and an admirer of the astronauts, knew that *Life* had made no offer to the astronauts beyond Mercury, and he saw an opportunity to step into the breach. Godbold found a buyer in the Field Enterprises Educational Corp., publishers of *World Book Encyclopedia*. In April, 1963, after hiring Godbold, the corporation's president, Bailey K. Howard, presented a breathtaking proposition: \$3.2 million for the sixteen astronauts' services over an eight-

year period, \$400,000 a year, \$25,000 per astronaut. For this sum Field sought the astronauts' cooperation in bylined newspaper and magazine articles and books (including children's books), films, TV shows, recordings, and radio commentary. Field proposed to sell the U.S.-Canada magazine rights to *Life* for \$800,000 but retained the foreign rights (except those in Communist and Third World countries, which would be given free to the U.S. Information Agency). Field would contribute an additional \$5,000 per astronaut to buy each a \$100,000 insurance policy.

This package was too much, either for NASA or its critics—who multiplied like rabbits. If half a million dollars smacked of commercialism, what was six times as much? Sen. Clinton Anderson, chairman of the Senate Space Committee, asked James Webb for a look at the contract, and "for someone to brief him on the Government's position." Dozens of newspapers inveighed against NASA; Benjamin McKelway, former president of the Associated Press, told his friend Webb he was sympathetic but could not avoid the feeling that "somehow the way this thing is developing is wrong from the standpoint of the country."

On May 15, Webb wrote Howard that the proposed contract was unacceptable in part because "the impression of emphasis on personal gain or commercialization . . . would not contribute to the national interest but would work against it." On July 9, Howard called off the negotiations. Then Webb wrote Howard leaving a crack in the door, and Howard replied on July 17 with a conciliatory letter scaling down Field Enterprises' request to book and news rights to the astronauts' stories. In September Leo DeOrsey, representing the first seven, and Harry Batten, representing the second nine, signed separate four-year contracts with Field (for \$10,000 a year to each astronaut) and with Time, Inc. (\$6,250 to each). The two publishers each were to insure each astronaut for \$50,000 a year during the life of the contracts.

Because Field limited its payments to \$320,000 a year, and Time, Inc., to \$200,000, the influx of astronauts of the third, fourth, fifth, and sixth groups diminished the prorated amount. After Field elected not to renew its option in 1967, the astronauts' receipts from *Life* dropped to pin

money: about \$4,000 a year per astronaut.

For Field the arrangement was a financial disaster. Partly this was due to hard luck; when negotiations began, the first manned Gemini flight was scheduled for November, 1963, but as the program fell further and further behind, Field found itself paying out over \$1 million (including expenses) during the flightless doldrums. Newspaper syndication never caught on as expected, and the sales of books about the Gemini program and the astronauts' families were even more disappointing. Foreign syndication, thanks to Western Europe's perennial interest, was better, but after four years Marshall Field 4th found that he had spent about \$3 million—which exceeded receipts by a substantial margin.

In 1962, NASA had ruled that the astronauts would be available to the press for interviews on Fridays (since *Life* and Field could see them at home after hours and on weekends, these regulations made no difference to the contractors). Nonetheless, reporters continued to complain that the astronauts they wanted to see—those assigned to flight crews—were hardly ever available. When they were, their time was limited and reporters often got short shrift. (For a hilarious account of eleven-minute interviews, with two public relations officers holding stopwatches, see Oriana Fallaci's *If the Sun Dies*, pp. 279-312.)

A prime example occurred on Aug. 2, 1964, when the *Houston Post* editorialized, "The image of astronauts with news stories for sale is one that cheapens us all." What aggravated the *Post* was a *Life* article by Virgil Grissom, who was scheduled to command the first Gemini mission, concerning the maneuvering capability of the new spacecraft—hardly a "personal" story. The *Post* reporter, Jim Maloney, wrote that he had been trying to interview Grissom for four months but always found him unavailable. The *Post's* executive editor, William P. Hobby, Jr., wrote his Congressman, Albert Thomas, the powerful chairman of the appropriations subcommittee handling NASA's funding. Rep. Thomas had long opposed astronaut writing contracts; he thought the problem could be solved by the Government's giving the astronauts "a terrific salary" and insurance policies for \$100,000 or \$200,000 (obviously easier said than done).

"It is not too late for Jim Webb to act now," wrote Rep. Thomas, "and the sooner he acts the fewer headaches he's going to have." In Webb's absence, Julian Scheer, then Assistant Administrator for Public Affairs, answered Thomas, admitting that NASA had erred in approving this article. Webb gave his own views to Thomas on Oct. 20. He reminded Thomas that a study of astronaut pay had been made the previous year by NASA, the Bureau of the Budget, the Department of Defense, and the Civil Service Commission, and the decision went against pay raises.

Another test case arose in 1966, when the *Los Angeles Times* wanted a bylined article by Wally Schirra for a special section, "Space," to which

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## "The contracts were wrong from the original decision . . ."

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Webb and Vice President Humphrey had already contributed. If the *Times* could get Schirra's bosses to write for them, why couldn't it have an astronaut, too? NASA said the *Times* could; *Life* and Field said a byline in the *Times* would violate paragraph 8b of their contract, which gave the publishers the right to cancel in case "the value of the personal stories of the astronauts is badly impaired or lost" as a result of NASA policies.

In subsequent discussions, the question arose: since Schirra would be writing a story about space, and not one about himself or his family, how could *Life* and Field object? Look at the contract, said the publishers—and sure enough, Sohler had to admit that the contract was badly drawn. Editor Edward K. Thompson of *Life* brought up another point: would NASA compel Schirra to sign an article without his consent? The NASA officials said, "We would not." Very well, said Thompson, he would warn Schirra of "the implications of his granting his consent in view of the intention of Field and *Life* to terminate if

the story should be published." The Los Angeles Times went to press—sans Schirra.

Following the deaths of Leo DeOrsey in 1965 and Harry Batten a year later, Alan Shepard sought a new astronaut agent, and on Jack Valenti's recommendation engaged New York lawyer Louis Nizer, who also contributed his services. Nizer's partner Paul Sawyer, a bright, amiable, but tough lawyer, laid down more stringent rules than either of his predecessors, reminding the astronauts (via Shepard) time and again that they were not to talk to anyone except *Life* (after Field dropped out). An astronaut-scientist, Brian O'Leary, admits in his book *The Making of an Ex-Astronaut* that Shepard intimidated him, causing him "to talk in broken sentences, turn red, and look down." O'Leary adds, "Shepard warned us to cut off all press relationships besides NASA-sanctioned ones and to give the excuse that we were in intensive training."

The \$500,000 *Life* paid the first seven astronauts meant big money for the spacemen. But it cost the magazine very little because Simon & Schuster paid \$200,000 for the book rights (the book *We Seven* flopped). A British syndicate forked over \$150,000 for European serialization; U.S. newspaper rights brought *Life* about \$75,000 more. These side benefits went to Field under the 1963 contracts, however, and at renewal time in 1967, Time, Inc. executives again considered bowing out along with Field. But *Life* hung on during the long lag after the fire in Spacecraft 012.

The big break came when the Apollo program got rolling. In December, 1968, after Schirra's earth orbital flight and just before Frank Borman's Christmas Eve orbit of the moon, Time, Inc. signed up to pay the astronauts \$200,000 as an advance against book royalties in addition to the regular \$200,000 a year. The Time, Inc. lawyers cleverly limited the contract to one year after the first moon landing, which occurred in July, 1969. So the publishers were committed, not for four more years, but for a year and a half, by which time public interest in space had shriveled like an unwatered geranium.

With the December, 1968, "book contract," Sawyer and Shepard cracked down on non-*Life* writers. "You became the enemy because you were

writing a book, too," Paul Sawyer told me after it was over. I could tell funny stories about the lengths to which friendly astronauts went in order to conceal their meetings with me. Among others subverted was Norman Mailer, who had contracted with *Life* to write three articles about the first moon landing and with Time, Inc.'s subsidiary, Little, Brown, to expand the articles into a book (*Of a Fire on the Moon*; it bombed). But Time, Inc.'s Mailer wasn't part of Time, Inc.'s contract, so the astronauts excluded him (he did attend a party Pete Conrad gave). "I understand Mr. Mailer's exposure to me is confined to one press conference," Neil Armstrong, a victim of Mailer's savagery, told me in 1971.

*Life* assigned two staff members to write its own book, which was expected to make publishing history. But the end product, called *First on the Moon* and signed by Neil Armstrong, Michael Collins, and Edwin Aldrin, sold a paltry 23,000 copies; the Literary Guild paid in \$75,000, split between Time, Inc. and the astronauts; a similar amount came from the British, but other foreign sales were minuscule. What saved the contract was the Europeans' white-hot interest in *Life*'s syndicated articles on *Apollo 8*, *9*, *10*, and *11*, which together fetched a staggering \$600,000, equally

## Finding the Golden Easter Egg

This is the first of three articles to be written by the Apollo 13 astronauts about their voyage to the moon. The other articles, by Lined, Col. James B. Irwin and Maj. Alfred M. Worden, will appear tomorrow.

By COL. DAVID R. SCOTT  
The excitement of being on the moon comes in waves. They are gentle swells, the kind that stop you, buoy you, but never sweep you off course. There could be no time for the waves that overwhelm—not if we of Apollo 13 were to fulfill our mission of "exploration at its greatest."

The wave enveloped me the moment our lunar module



Then there was the time, as I stood at Hadley Base soon after the landing, when I realized that this was it. I was about to see and interpret things that no man had ever seen before. I was beginning a task that I had been working toward all my life. I knew that I had reached a pinnacle for myself and for science.

But the most exciting moment came when Jim and I had driven our four-wheel vehicle, Rover 1, up the slope of Hadley Delta. It is one of the tallest mountains in the area, some 12,000 feet, and the Rover had taken us up a few hundred feet to a point we could never have reached by foot. We were actually

Falcon, cleared the peaks of the Apennines and pitched over for our final descent to the moon. It was then that I saw "the

the mountains—I began to feel at home in our new surroundings.

Yes, I actually felt at home and couldn't help thinking to myself: Gee, everything's working. Here we are in this beautiful place and every time we turn around we find something new and exciting. This has to be the truly high ground of exploration, a place for which, even now, it is possible to be homesick.

From almost the beginning of our training, more than a year ago, Jim and I realized that we had a chance on Apollo 13 to make a significant contribution to science and the understanding of the universe.

The new instruments, the



roving vehicle and the long-range flight capability of Apollo 13 afforded us the opportunity. And so I "asked" that our

The New York Times, after editorializing against astronaut writing contracts, gets aboard (syndicated exclusive report on *Apollo 15*, Aug. 13, 1971).

shared by the magazine and the astronauts.

The December, 1968, contract yielded the following sums to the astronauts (figures courtesy of my new friends Sawyer and Shepard):

Advance	\$200,000.00
Foreign Syndication	296,844.62
Book	119,843.96
Special Edition of <i>Life</i>	114,806.00
Book-record	25,000.00
	<hr/>
	\$756,494.58

Add about \$300,000 as *Life's* regular payment during the last year and a half, and you come up with a tidy sum, even when split sixty ways (including eight widows). But this was the last hurrah. The second moon landing, *Apollo 12*, brought only \$18,000, again divided evenly.

After Time, Inc. quit the exclusive-astronaut business in July, 1970, a couple of buyers nibbled. Wolper Productions contracted to produce TV documentaries about the astronauts and their wives, who would get \$100,000 per film plus 50 per cent of the profits. Nothing came of this except an advance payment of \$60,000—\$1,000 per astronaut. By *Apollo 15*, the first truly scientific mission, NASA in its anxiety for publicity forgot about the strictures against official stories and allowed the *New York Times* to buy syndication rights for articles by astronauts Scott, Worden, and Irwin, plus three pieces by scientist-astronaut Harrison Schmitt. Proceeds to the astronaut corps: \$30,712.50. That was the end of the line.

Was the astronauts' writing arrangement the right thing to do? Obviously, the astronauts thought so, whether they were latecomers who got only a few thousand dollars or Alan Shepard, who estimated his yield over the eleven-year period at \$125,000—a sum that grew to several millions in real estate. James Webb, the NASA administrator during most of the Sixties, vigorously defended the contracts, citing, among other things, the problem of "managing" the wives: "If a society editor called up and said, 'I want to see Annie Glenn,' we couldn't have said, 'No, you can't see her,' but since Annie signed a *Life* contract, she could say No." Lyndon B. Johnson, to whom the original seven appealed in 1962, when he was Vice Presi-

dent, was just as adamant in replying to a letter I wrote him a few months before he died:

I am against government employees, civilian and military, receiving money from outside sources for performance of their jobs. The astronauts' contract with *Life* magazine did not constitute payment for performance of their jobs, indeed it in no way affected their jobs. These contracts did not limit the amount of information that other news agencies were allowed to get. Astronauts did not talk with *Life* reporters until they had answered all questions asked at a press conference and discharged all of their post-flight duties.

The editors of the late, lamented *Life* were divided. The astronauts were good for circulation, and *Life* soon became known as the authority on space. But *Life* paid a price beyond the enormous expense of its coverage. The magazine ran a lot of trivia—an editors' disease when they must overpublish in order to justify costly projects—and its prestige suffered proportionately. "Let's tell what the astronauts are really like," said one editor in a bar one day. "Can't," said another, "we'd lose the connection." Said Alan Shepard, "*Life* was controllable"—a hard adjective for an editor to swallow.

One of *Life's* several ghosts assigned to the astronauts, Loudon Wainwright, hinted at one problem in a book review he wrote for *Harper's* in November, 1971:

[T]hey ran muddily together now and then, one hot pilot not always distinguishable from another. The masking of their differences, which most emphatically existed, was of course mainly the fault of their ghosts. But the astronauts had the right to approve the transcripts of their autobiographies, and they made their own forgettable contributions to homogeneity.

I can't blame *Life* too much. *De mortuis nil nisi bonum*, and I sympathize with the editors in the inevitable loss of some of their integrity. While managing editor of the *Saturday Evening Post*, I approved the publication of an endless series about show business figures, based on interviews, which out-tripped anything *Life* printed about the astronauts.

Did NASA really benefit from its control over what was printed—and by whom—about the astronauts? It seems doubtful. Due in large part to the exclusion policy, many members of the working



press deeply resented NASA, especially in the early days, when some defined NASA's acronym as, "Never a Straight Answer." Despite LBJ's defense of the *Life* contract, reporters feel woefully deprived if access to their sources is limited to press conferences. The tip of the iceberg is not enough.

Did the astronauts come out ahead? In the short run, apparently so. But Aldrin and Cunningham are not the only astronauts who found that the homogeneity harness chafed. "They turned out to be more interesting than we had thought," wrote Howard Muson in the New York *Times* magazine last Dec. 3. "They cheat a little . . . they get divorces . . . they see a psychiatrist (or at least one did); they get interested in freaky things like E.S.P., Eastern religions, poetry, one worldism, and brotherhood." These tendencies undoubtedly would have surfaced earlier if the astronauts had not been locked up in that monastery. Possibly some heads would have rolled, but in our give-and-take society the astronauts and the space program would have been the more interesting for it. In 1972, the images of both NASA and the astronauts suffered a devastating blow when it was revealed that some crews were involved in questionable shenanigans and one

crew was revealed as outright dishonest. The *Apollo 15* astronauts took the money a dealer paid them to carry concealed postal covers to the moon (\$150,000 worth of covers for a total of about \$21,000 deposited in a German bank). Would they have been so tempted if they hadn't already become accustomed to easy money? The three men who find their careers in ashes aren't talking, but it's a good question.

The astronauts' writing contracts were wrong from the original decision in 1959. President Kennedy was right to want to put an end to the contract business in 1961, but he reversed himself. A pity. Nobody would forbid a general to write his memoirs, but Ike didn't pause after the Normandy landing to make next week's issue. The comparison to the astronauts' eleven-year stint is not valid. Nor is John Glenn's distinction between an astronaut and a soldier in combat. Despite his fame—or aspiration to fame in the case of those who cashed in but never flew—the astronaut was a government employee who entered service without expectation of reward beyond the pay scale set by Congress.

If there is ever another time, in whatever reincarnation, a better way must be found.

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### Onward and upward with PR

The metal closure that caps the many jars and bottles we use daily is a taken-for-granted convenience. And though it performs many vital functions, little is known of its history or present day status.

As a means of filling this knowledge-gap, we have prepared the enclosed Cover Story. It summarizes the development of modern day closures and provides information on the industry that produces them.

—News release, Harshe-Rotman  
& Druck, March, 1973.

"In little more than three years, a small committee of reporters has become a serious and constructive force in the growing fight against encroachment on press rights."

## A reporters' committee that works

JULES WITCOVER

■ Reporters, as anyone knows who has ever tried to organize them for a cause, are notorious nonjoiners, and this is probably more true in Washington than elsewhere. The National Press Club, despite repeated efforts to resurrect it, has become little more than a watering hole for government public relations men and private industry lobbyists. The local Sigma Delta Chi chapter, mixing newsmen and journalism academics, also largely fails to attract the city's reportorial mainstream, and the restricted Gridiron Club floats majestically overhead, establishing nothing but the longevity of its members and the crustiness of its traditions. Small "background groups" flourish, but not so much for the greater good of American journalism as for newsgathering and source-building for the participants.

It is particularly notable, therefore, that in little more than three years a small committee of re-

porters, mostly but not exclusively based in Washington, has become a serious and constructive force in the growing fight against executive, judicial, and legislative encroachment on the press' First Amendment rights. Called the Reporters Committee for Freedom of the Press, the group was formed in March, 1970, out of concern over the subpoena of Earl Caldwell of the *New York Times* to disclose Black Panther sources. Since then, with only a modest staff and treasury, the Committee has become a national clearinghouse for information and legal help for reporters similarly threatened around the country.

Like the movement by reporters to establish local journalism reviews, the Committee had its genesis in Chicago, in part as an aftermath of the 1968 Democratic convention riots. Two Chicago-based correspondents—Murray Fromson of CBS News and J. Anthony Lukas of the *New York Times* (now contributing editor of the *New York Times* journalism review [*More*])—became friends of Caldwell while covering the riots. One Sunday in

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Jules Witcover, of the *Washington Post*, writes regularly from Washington for the *Review*.

late 1969, while having breakfast at Fromson's home, the two began discussing a federal grand jury's attempt to require Caldwell to disclose confidential background information and its sources.

"We were deeply upset at the implications," Lukas recalls, "and Murray and I decided to try to form a committee." Lukas, who at the time was a member with Caldwell of what the *Times* called its "riot squad," phoned Caldwell in San Francisco and discussed the prospect. Because other groups—Sigma Delta Chi, newspaper editors, and a reporters' group on the West Coast—all were involving themselves in the Caldwell case, a few months were allowed to pass in inactivity. Finally, Lukas decided that rather than responding narrowly to just the Caldwell matter, any new group should address itself to the longer-range problem of challenges from whatever quarter to protection of sources and information.

Lukas began casting about for foundation money to launch the project. He called McGeorge Bundy, president of the Ford Foundation. Bundy said Ford could not make a grant directly, but suggested that Lukas contact the Georgetown Law School, where Prof. Samuel Dash headed an Institute of Criminal Law and Procedure that had received Ford money. Dash, who now is on leave as chief counsel to the Senate committee investigating the Watergate case, agreed to sponsor an organization meeting, providing travel expenses for reporters from distant points.

Given this pledge, Lukas began in mid-February, 1970, to call reporters he knew would be interested—Fromson, fellow-*Times*man John Kifner, and Lem Tucker of ABC News in Chicago; Jack Nelson of the Los Angeles *Times* and Tom Wicker of the New York *Times* in Washington; and others. At the meeting in Georgetown, a panel of speakers—Anthony Amsterdam of the Stanford Law School; A. Kenneth Pye, dean of the Duke University Law School; Benjamin C. Bradlee, executive editor of the Washington *Post*; and Dash—outlined the problem. Then reporters swapped stories of their own First Amendment brushes with government and the courts, and discussed what to do.

Mike Wallace of CBS News in New York related a recent experience with the Justice Depart-

ment. Federal agents, by going to network lawyers in his absence, had obtained outtakes, notes, and a copy of his expense account concerning an exclusive filmed interview with Black Panther leader Eldridge Cleaver in Algiers on Jan. 3, 1970. Wallace had resisted pressures to talk voluntarily to then Atty. Gen. John N. Mitchell, under threat of subpoena, and eventually the pressure eased. But the threat was real.

"It was decided," Lukas recalls, "that rather than issue any ringing declaration, as a first step we should get a study done, from the legal point of view, on what our rights were and how we could most shrewdly go about protecting them. There was a lot of speaking out without our really knowing what we were talking about. A good number of us were genuinely puzzled. There were a number of legal and ethical complications involved and we wanted someone to answer them for us. We were by no means unanimous in wanting a shield law (against press subpoenas), but we all agreed it would be helpful to have some astute lawyer look into the whole question."

Lukas and twelve others at the meeting agreed to serve on a steering committee, and he was delegated to investigate the possibilities of financing a study. Others on the original committee were: James S. Doyle and Barry Kalb of the Washington *Star* (now *Star-News*); Robert C. Maynard of the Washington *Post*; Fred P. Graham and Kifner of the New York *Times*; Nelson; Don Johnson of *Newsweek*; Marvin Zim of *Time*; Fromson and Bill Stout (who flew in from Los Angeles) of CBS; Lem Tucker; and Charles Quinn of NBC. Some at the meeting indicated they did not have the time to devote to the committee, or that their employers might frown on their participation. But according to Lukas and others, no employer ever protested membership by an employee or exerted pressure on him to quit.

The group agreed that it would act as a national center of information on press subpoenas and provide legal assistance to threatened newsmen who lacked satisfactory resources. Dash volunteered his Institute as the clearinghouse, and it so functioned for the first year. Among other things, the Committee entered a friend-of-the-court brief in the Caldwell case and began to com-

pile a log of subpoenas and other government pressures that now includes more than sixty instances involving newsmen around the country [CJR, Mar./Apr.].

After about three hours, the Georgetown meeting adjourned and Lukas, Nelson, and Graham, who was then the *Times'* Supreme Court reporter and now is with CBS News, went to the New York *Times'* Washington bureau, where they coined the Committee's name. Lukas wrote a press release expressing the group's concern over subpoenas served on reporters. Such actions, it said, endanger "the delicate process through which news is often gathered and disseminated to the public," and the practical impact "is to destroy whatever trust newsmen have developed among sources who can provide information not otherwise available to the general public. This has been particularly true in stories dealing with radical political organizations—such as the Black Panther Party or Students for a Democratic Society—whose suspicion of the courts and law enforcement agencies makes their confidence particularly difficult to develop." Graham and Nelson phoned the handout to the wire services and the Committee was in business.

In an effort to broaden the Committee base, other reporters were sought out; still others heard about it and offered to serve. The Committee was expanded to include Elsie Carper of the *Washington Post*, Eileen Shanahan of the New York *Times* Washington bureau, Howard K. Smith of ABC News, New York freelance Nat Hentoff, Kenneth Auchincloss of *Newsweek* in New York, Joel Weisman of *Chicago Today*, John Wood of the *Boston Globe*, and Gene Miller of the *Miami Herald*.

Lukas, after scouting foundations in New York, obtained a commitment from the Field Foundation for the study, provided a qualified director could be found. On Amsterdam's recommendation, Lukas contacted Vincent Blasi, an associate professor at the University of Michigan Law School. In the fall of 1971, Blasi undertook the study (for which the Field Foundation provided \$27,000), with the assistance of Prof. Richard T. Baker of Columbia's journalism school.

Blasi's 292-page report, released on Feb. 11, 1972, in retrospect was thought by many members

of the Committee to have been a tactical error; the study encompassed all reporting, rather than concentrating on the most sensitive areas, and the degree of concern for the press subpoena problem indicated among the 975 respondents was hardly resounding. Blasi concluded:

Because most reporters do not, due to deadline pressures or laziness, probe deeply beneath the surface of news events, press subpoenas appear to have an adverse effect on only one limited but expanding segment of the journalism profession. Of the 975 reporters whom we surveyed, only 8 per cent were able to say with some certainty that their professional functioning had been adversely affected by the subpoena threat.

In addition, only 29 per cent said at least one of every four of their stories depended on explicit or implied understandings of confidentiality with sources who had helped on a story at least twice; only 13 per cent said one of four stories depended on such understandings with new sources.

Also disturbing to some reporters were some of Blasi's recommendations. He said he favored an absolute and unqualified privilege under the First Amendment to reporters against grand jury, legislative, and administrative agency subpoenas. But, he added, newsmen should be required to disclose confidential sources in civil trials if the information sought was "substantially different in quality or import from any other evidence admitted at the trial," if the source was not specifically promised confidentiality, and if disclosure of the source would not cause "irreparable harm" to the newsman's professional relationships.

In criminal trials, he proposed, newsmen should be required to disclose confidential information if they saw or took part in criminal behavior involving victims, or if a defendant invoked his Sixth Amendment right to call favorable witnesses and could show why he thought the reporter had relevant information. The Reporters Committee since that time has supported nothing short of an absolute, unqualified privilege.

At the very least, the scholarly Blasi report gave the Reporters Committee a basic framework. By this time, the group already was busily monitoring the subpoena threat. As with most committees, one man—Lukas—had carried the heaviest burden at the outset. After the selection of Blasi,



Lukas gave way to Fred Graham, Washington-based and himself a lawyer, who soon was joined and eventually replaced by another lawyer who covers the Supreme Court, Jack C. Landau of the Newhouse Newspapers' Washington bureau.

Landau, interestingly, had left the newspaper business at the time the Committee was formed and served as director of public information for the Justice Department of Atty. Gen. Mitchell—which had pressed the case against Caldwell. During the Mike Wallace subpoena threat, it was Landau who several times called Wallace and tried to persuade him to come to Washington to talk to Mitchell about the Cleaver interview. According to Wallace, Landau told him there were two factions in the Justice Department, one that wanted to subpoena anyone with information about the Panthers and one that thought such action unnecessary. If someone like Wallace were to come in voluntarily, subpoenas wouldn't be required. "The idea was to try to pick somebody who was known, and try to compromise the situation," Landau says. But Wallace would have none of it, and the department backed off.

Wallace says he was under the impression Landau did not relish his role. "He was always square with me," Wallace says. "I had the sense he was in the middle and he was working for the guy [Mitchell]. And I had the feeling that was why he got out."

(A few months later, according to Wallace, he was in Mitchell's Watergate apartment with CBS producer Don Hewitt, after having interviewed the Attorney General and his wife, Martha, on TV. "We were in Mitchell's study," Wallace recalls, "and he says to me, laughing, 'What did you pay those girls \$100 for in Algiers?' He was trying to be funny, but he had seen my expense account. I had hired three girls to help us get through Customs with our cameras and other equipment, to arrange for exit visas, and ship our film. We had to get in and out in forty-eight hours and it wasn't easy." The expense account listed the girls' names and the amounts they received—\$100, \$100, and \$150—and was accompanied by a receipt on stationery of the Black Panther Party signed by all three, for "arrangements, transportation, and technical advice.")

As the subpoena problem grew, Landau was the Justice Department official who drafted guidelines for Mitchell governing the circumstances under which press subpoenas would be sought, negotiating between the American Society of Newspaper Editors and Mitchell. It is Landau's position that these guidelines effectively neutralized the threat to First Amendment rights in federal courts, and he notes that since they went into force only thirteen subpoenas have been issued. While other committee members say the guidelines were fair, they disagree that the federal problem has been solved. Indeed, when Landau testified in February before a Senate subcommittee, he expressed the Reporters Committee's consensus view that the threat exists at all levels of government. Beyond that, he has labored so diligently on behalf of the Committee in the past year, when the source disclosure threat has mushroomed, that some of his colleagues freely suggest he is doing self-assigned penance for his days with Mitchell.

During the past year, the Committee has, among other actions, entered a plaintiff's complaint in the New York State Supreme Court against the prohibition of inmate interviews in the Attica State Prison riots; entered a friend-of-the-court brief in the William Farr jailing in California and pledged \$500 to underwrite his Supreme Court appeal; established a Press Legal Defense and Complaint Center which negotiated standardized bail and rapid arraignment procedures for working reporters in the event of street outbreaks at the Democratic and Republican National Conventions last summer; and pledged \$500 to Peter Bridge to underwrite his Supreme Court appeal in the New Jersey subpoena case.

The new awareness and concern among reporters—and the effectiveness of the Committee—were demonstrated in December when a federal court attempted to obtain tapes of a confidential interview by Jack Nelson and Ronald J. Ostrow of the Los Angeles *Times* with Watergate informant Alfred Baldwin. Within forty-eight hours, the Committee and friends in Washington produced an emergency petition signed by more than 450 working reporters attesting to the adverse impact

of court subpoenas on the newsgathering climate. One sympathetic newsman not on the Committee, Morton Kondracke of the Chicago *Sun-Times* Washington bureau, canvassed the thirteen-floor National Press Building.

More recently, the Committee has testified on request before subcommittees of the House and Senate on federal shield legislation and has counseled with members of Congress and their staffs on legislative drafts. Aware of the prohibition against lobbying by newsmen accredited to cover Congress, the Committee involves itself only by invitation and clears its activities with the Standing Committee of Correspondents in the Congressional press galleries.

A major activity this spring has been planning of a suit against the American Telephone & Telegraph Co. as a result of AT&T's providing of columnist Jack Anderson's telephone records to the Justice Department in the Bureau of Indian Affairs documents case. The Committee's objective is to find out what other newsmen's phone records have been sought and disclosed, and to require AT&T to give notice before such records are surrendered, so newsmen may take legal action.

When a First Amendment threat surfaces in Washington, it gets immediate publicity. But elsewhere, the few active Committee members have had to monitor the problem mainly through the journalistic gossip vine and wire-service files. When a new case is uncovered, the Committee contacts the reporter involved and offers him legal assistance. "We call him up and sort of do reporting on the case," Landau says. "We offer to pay for a lawyer if he doesn't have one, and if he does, we call the lawyer and offer him help on opinions and briefs in the field. We try to have fairly well known, established lawyers. I feel the court kind of expects us to show up with bomb-throwers, but we try to give the press a responsible vehicle and presence in the court process. As Eileen Shanahan says, 'We can't chain ourselves to the White House fence' and be influential."

Perhaps the most dramatic example of how the Committee functions occurred last June, when reporter Robert Boczkiewicz of the St. Louis *Globe-Democrat* was called before a State Ethics Committee and told he could be held in contempt if

he refused to disclose the source of an article he wrote alleging improprieties involving a state supreme court justice. From the St. Louis hearing room, he telephoned Landau. "I need help right now," he said. Landau and Graham conferred briefly, then Landau phoned a St. Louis lawyer they knew, and he immediately sent a young colleague to the court. The lawyer counseled Boczkiewicz and two other subpoenaed reporters, and Boczkiewicz, on his advice, held his ground. The Ethics Committee also had informed the reporters they were forbidden to write any story about their own interrogation by the Committee, but Boczkiewicz served notice that since the hearing was being conducted by a public body he would not feel bound by any such prohibition. The source involved finally released the reporter from his confidentiality pledge and the Committee withdrew its demand that Boczkiewicz testify.

In another case, reporters Larry Dickinson of the Baton Rouge *State Times* and Gibbs Adams of the Baton Rouge *Morning Advocate* were told by a federal court judge they could not report testimony in an open civil rights case. When they reported it anyway, the judge held them in contempt, contending newsmen were obliged to obey even an invalid injunction and then appeal it. He cited as examples of this procedure the four original newspapers in the Pentagon Papers case—the New York *Times*, the Washington *Post*, the Boston *Globe*, and the St. Louis *Post-Dispatch*. Landau learned of the decision and discussed with Committee members whether the relatively obscure ruling should be allowed to stand or should be opposed. The Committee decided to challenge the ruling. A Washington lawyer specializing in First Amendment cases, E. Barrett Prettyman, Jr., wrote the brief on prior restraint, and the four papers in the Pentagon Papers case submitted affidavits stipulating that their actions should in no way be interpreted to mean they believed they had to obey invalid prior restraint. The reporters' own lawyer, who according to Landau had been ready to concede the First Amendment issue, thereupon joined the fight. The judge in effect shelved the case.

These and other Committee functions have  
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made the group's workload too great for a few reporters to manage—or finance—on an ad hoc basis. Thus in the spring of 1972, as the *Boston Globe* approached its 100th anniversary, Landau proposed to *Globe* executive editor Robert Healy that the paper establish a legal defense fund in Boston. The *Globe* declined, but instead offered the committee \$3,000 (from which the Farr and Bridge pledges came). "For the first time," Landau recalls, "we stopped doing our own typing."

By year's end, thanks to the unsolicited interest of John I. Taylor, the *Globe's* president, an office was leased and a fulltime secretary-aide was hired. In mid-December, Taylor sent Landau a letter saying he had heard the Committee had made such good use of the \$3,000 that he intended to raise as much money from his publisher friends as the Committee needed to keep going. After a meeting with Committee members, Taylor pledged to try to raise most of \$180,000 set as a goal for three years' operations. According to Landau, early commitments indicate the goal will be reached. A legal defense fund run by working reporters and underwritten by publishers, he says, permits the publishers to choose those cases with which they want to be associated and to dissociate themselves from those that, for various reasons, they may prefer to bypass.

This financial breakthrough, however, does not mean that the Committee has no problems. Most members of the original steering committee have never attended another meeting, leaving the decision-making to a five-member executive committee of indefinite tenure—Nelson, Doyle, Landau, Shanahan, and Maynard. Earlier efforts to broaden the base, and thus strengthen the Committee's impact, have fizzled. At one juncture, after release of the Blasi report, the Committee sent letters to city desks around the country enclosing a notice that said, in part:

Publishers are not reporters. Neither are editors, television station owners, journalism professors, network executives, or company lawyers. Reporters sometimes have problems and points of view that are distinct from other elements of the news media.

Citing the Caldwell case, the notice observed

that "the interests of the media organizations—and the advice given by their lawyers—was not always thought by the reporters involved to be in their best interests." Reporters were urged to sign up for a \$2 membership fee. According to Lukas, only about five responded.

The group, the executive committee members acknowledge, is at an organizational crossroads. With responsibility for upwards of \$60,000 soon to be in their hands, members realize they must adopt more formal accounting practices; they must consider incorporation and the opening of the Committee to reporters who were not informed of the Georgetown meeting, or were not interested in it. A full-fledged membership organization, requiring membership approval in an area where quick decisions are imperative, has been rejected as unwieldy and bureaucratic. But active members of the Committee know that a broader base can strengthen their voice. Recently they have invited other newsmen to sign as "sponsors" and contribute.

In the months ahead, as government at all levels seeks inroads into traditional First Amendment protection for the working press, a major task for the Committee will be to adjust its structure to cope with the larger responsibilities its impressive early achievements have brought. Those achievements have led some to suggest that the Committee branch into other areas of concern to reporters—perhaps, because of growing dissatisfaction with the Newspaper Guild, that it even undertake to form a professional reporters organization. But Committee members reject the idea. "We've resisted getting bigger," says Nelson, "but with all that's going on concerning the First Amendment, we've had to get bigger. We're in it strictly because we want to protect our legal rights." Landau adds: "We already have more than we can handle." The Committee, he says, on occasion has talked about pressing such cases as that of the exclusion of a *Washington Post* reporter from the reporting pool for White House social events. But the judgment has been that monitoring broad threats to First Amendment freedoms has been, and will be, sufficient to occupy reporters who also hold fulltime jobs.

## Rizzo and the press: Kafkaesque days in Philadelphia

ROBERT SAM ANSON

"Nobody likes criticism. The difference is that the Mayor of Philadelphia will go to perhaps greater lengths than others to shut it off."

Q: Have you ever had the feeling that there are some members of the press out to get you?

A: I've had it a couple of times in my career, but I'm here and they're gone. A couple that went out of their way to get me and treat me unfairly—I don't fool around.

—Frank Rizzo  
Mayor of Philadelphia

■ The Mayor of the City of Brotherly Love smiles when he says that. He is aware of the value of good press relations and how it helps to smile a lot. But then the reflex takes over, the one he has been fighting to get rid of at press conferences. It is an odd, almost involuntary movement, and these days one has to watch closely to catch it: the slight sucking in of the breath, the lower lip brought up over the upper teeth, and, of course, the hands, those huge hands of his, clenching back and forth into closed fists, and then, just as quickly, relaxing again.

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It has been nearly a year and a half since the former police commissioner took over as the chief executive of the nation's fourth-largest city, and, in that time, Frank Rizzo has learned a lot about the press—and they about him. Certainly enough to know that when Big Frank says he doesn't "fool around," he is not kidding.

In the last eighteen months, several reporters who have written articles critical of or embarrassing to the Rizzo Administration claim to have been followed, to have had their private lives investigated, their phones tapped, their rooms bugged. Rizzo has brought pressure—sometimes successfully—on news directors and editors to keep certain reporters away from his official door. Philadelphia *Inquirer* reporter Kent Pollock, the author of a series of muckraking articles, was pulled from his car and beaten by two unknown assailants for no apparent reason. Taylor Grant, a liberal radio commentator who scolded Rizzo on the air, had his contract canceled three days later—at the direct request of the Rizzo Adminis-



tration. In the most Kafkaesque incident of all, two anonymous hate letters were sent to the executive editor of one of the city's three daily newspapers, detailing the medical record and alleged psychiatric history of prominent anti-Rizzo reporter Greg Walter. Subsequent investigation revealed that Walter's medical records had been subpoenaed from the hospital by the city medical examiner—a Rizzo appointee—who had certified the reporter dead.

Meanwhile, both the Philadelphia *Evening Bulletin* and Philadelphia *Inquirer* have replaced their entire city hall staffs, the *Inquirer* going so far as to move its reporters out of the city hall pressroom into a presumably more objective atmosphere across the street. Reporters have become so sensitive to the charge of being bought off or coerced by the Mayor that last December, when Rizzo extended the press corps a blanket invitation for off-the-record drinks and lunch at his private club, he received not a single taker.

The situation is such that when the Public Broadcasting Service program *Behind the Lines* devoted a prime-time half hour to examining the Philadelphia press and its relations to Rizzo early this year, two *Evening Bulletin* reporters who appeared on the telecast and defended the Mayor were summoned into their managing editor's office the next morning and ordered transferred.

How all of this could have happened in so short a time must be a source of some puzzlement to Rizzo. For Frank Rizzo and the Philadelphia press corps once were more than close; they were inseparable. Those were in the days before Rizzo got political ambitions, when journalism in Philadelphia was synonymous with police reporting (the *Inquirer* alone kept ten reporters permanently attached to police headquarters). The colorful Rizzo made good copy—especially when contrasted to the colorless (and remote) Mayor James Tate. He was the kind of police official who let himself be photographed with a billyclub sticking from the cummerbund of his tuxedo. He was, as the reporters soon dubbed him, "The Cisco Kid"—and he reveled in the image, seemingly eager to make each new quote about law and order more quotable, more appealing, and more inflammatory than the last.

But there was more to the short-lived love affair between Frank Rizzo and the press than that: even more than the stories about Rizzo fixing reporters' traffic tickets, about lending reporters money from his own pocket, even more than opening doors and revealing confidences and tipping his favorites when something big was about to break. What it was, at the most basic level, was a sense between Rizzo and the men who covered him of self-identification. "Reporters," explains one of the editors of *Philadelphia* magazine, "are a lot like cops. . . . Their parents saved and sweated so they could spend a few years at Villanova. Now they are working to meet the mortgage payments on a house whose value has fallen because of blacks moving into the neighborhood. When you add it all up, they are really not so unlike Frank Rizzo."

Fred Hamilton, a young reporter for the Philadelphia *Daily News* who covers Rizzo and has recently written a book about him, adds: "He looked on reporters as hard-working guys who had pretty tough taskmasters to please: irascible city editors. They were underpaid and very overworked. And he could stand out on the street corner at a fire and see them there in the cold with the firemen. He could see them at the scene of a crime waiting to get information out of tight-lipped officials who wouldn't say a word. I think he sort of identified with them because he considered himself to be a hard-working average guy and that's what he considered reporters to be."

Whatever the cause, Rizzo got a very good press during his years as police commissioner (indeed, one of the reasons he was made police commissioner was the excellent press he had received throughout his career). When "the big bambino," as one local columnist affectionately tagged him, decided to run for mayor, seventeen police reporters chipped in and bought him a plaque, inscribed with their "appreciation." A *Bulletin* reporter signed Rizzo's nominating petitions, and the *Inquirer* clip morgue was quickly plastered with Rizzo for Mayor bumper stickers.

During Rizzo's campaign (which was managed by a former *Bulletin* crime reporter who had won a Pulitzer Prize with the aid of tips on the numbers racket provided by Rizzo), he received the

endorsement of only one daily newspaper, the *News*. (Walter Annenberg, a Rizzo crony who had once consulted the Commissioner about whom to name as city editor, had by this time abandoned ownership of the *Inquirer* to become Ambassador to the Court of St. James.) Rizzo, at the insistence of his campaign manager, was carefully shielded from the press. Instead, he quietly waited for his old friends to come to his aid.

Some of the biggest help came from *Philadelphia* magazine and its publisher, Herbert Lipson, a Rizzo intimate and appointee to a civic advisory committee. *Philadelphia* decided to commission major takeouts on Rizzo and his political opponent, Thatcher Longstreth. The Rizzo assignment went to Greg Walter, a prize-winning investigative reporter recently returned from *Life*. A number of weeks and forty-two typed pages later, Walter had his story—his indictment, really. But *Philadelphia* wouldn't print it. *Philadelphia*'s management and Walter are reluctant to discuss what the article contained. Some things, however, are known: Walter alleged that Rizzo had altered police department records (a criminal offense), had attempted to force witnesses in court trials to commit perjury, and had personal ties with—as well as financial support from—city nightclub owners who were heavily involved in drug traffic and prostitution.

*Philadelphia* found Walter's evidence wanting, and his charges potentially libelous. With a deadline upon it, the magazine went ahead with the Longstreth piece (which compared the Mainline attorney to "Goofy" and "Mickey Mouse"), but printed not a word about Rizzo's faults, documented or otherwise. Election night, Rizzo was so jovial that, in his victory statement, he went out of his way to thank "the press—many of whom I am sure voted for me."

Rizzo underlined his esteem for journalists by hiring many of them. A former city editor at the *Inquirer* who had estranged his bosses by balking at an investigative piece that would have embarrassed Rizzo found a safe haven as Rizzo's deputy. The reporter who had signed the nominating petitions also came aboard, and so have nearly a score others, invariably at considerably higher salaries than they were able to command

as journalists. At one point, even Walter was offered a job. "I have great confidence in these guys," Rizzo told me. "I find the average working newspaperman honest, integrity unquestionable. They work hard. They know government. They know people. They are like policemen. . . . And if you are interested, I'll hire you."

In contrast to Tate, who seemed to regard reporters as a necessary evil and one not to be tolerated too often at that, Rizzo goes out of his way to court the press. Like President Nixon, he promised an open administration; unlike Nixon, Rizzo meant it. Not only are there weekly news conferences—during which Rizzo calls every reporter in the room by his first name—where he is candid about his frustrations and prejudices; he genuinely seems to like the press and understand what reporters need and want.

Rizzo handles his own press relations. If a reporter who has a question for the Mayor wants it answered, he merely calls him up. Within hours—and, more often, within minutes—the reporter finds himself sitting in the Mayor's office, His Honor with his feet on the desk telling stories about city government and "them criminals" who continue to bedevil his best efforts to put them behind bars, and preferably, in the electric chair.

A number of reporters were totally captivated by the Rizzo style. Until he was recently transferred, Gene Harris, the *Evening Bulletin*'s man at City Hall, regularly began each working day over coffee with his source. Harris also came up with more "beats" than his competitors at the Knight-owned *Inquirer*, who jealously kept their distance. The *Inquirer* men, however, were the exception. More common were the reporters who sat at basketball games in the Mayor's personal box, or got rides home from him in the evening, or were his guests at lunch.

For a reporter who accepted such arrangements, covering Rizzo could be a very cushy job; for others, not so comfortable. During the mayoral campaign, for example, Greg Walter, who had signed on at the *Evening Bulletin*, was declared *persona non grata* at Rizzo headquarters. Rizzo called the *Bulletin*'s executive city editor, Sam Boyle, and said he would have nothing to do with Walter and had instructed his staff to treat him likewise.

The *Bulletin* thereupon removed Walter from the Rizzo story. Rizzo tried the same tactic at WCAU, the CBS-owned-and-operated TV station in Philadelphia. Two WCAU reporters were scheduled to interview Rizzo, but apparently Rizzo didn't care for them; he went to the office of the WCAU news director and demanded that he pull the reporters off the story. The news director said he would not be dictated to, but when it came time for the interview the reporters were reassigned.

Once Rizzo became mayor, the harassment was more overt. Again, one of the prime targets was Walter—still with the *Bulletin*, and deep in an

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### **"A fundamental reappraisal is now underway . . ."**

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investigation of a police shakedown of some prostitutes. During the investigation, Walter "bugged" his own phone with a Sony recording jack, commonly available in any record store. At least one of Walter's cassette conversations came into the possession of District Attorney Arlen Specter.

Precisely how the tape got from his house to Specter's office, Walter does not know. But on May 5, 1972, prosecutor Specter called Boyle and informed him that Walter had entered into a "conspiracy" with the Pennsylvania Crime Commission to discredit the Philadelphia Police Department. Backing up his charge, Specter played the tape for Boyle—which in itself is a criminal offense. A few days later, the *Bulletin's* editors ordered Walter to appear at the District Attorney's office. Not long after that, Walter was indicted on wiretapping charges. Though the offense Walter was charged with is a misdemeanor, Specter assigned Richard Sprague, the special government prosecutor in the Yablonski murder cases, to try him. Two assistant district attorneys were also assigned to the prosecution team, backed up by two county detectives who did investigative legwork. Last September, Walter was tried, found

guilty, and fined \$300 plus \$50 in court costs.

In the meantime, the police had been looking into Walter's private life. Friends told him that they had been questioned about his sexual proclivities. Bartenders had been asked about his drinking habits. Walter discovered that, for some reason, the police seemed to know about all the appointments he had been making on the telephone. Covering his tracks, Walter resorted to elaborate ruses and codes and public telephones on out-of-the-way street corners—only to find that he was being followed. In some desperation, he finally moved out of the city, renting a farmhouse far from the scene of his "crimes."

When Walter publicly complained of the harassment and charged Rizzo was behind it, the Mayor shrugged it off as Walter's "paranoia." If that was the case, then Walter was not the only one feeling paranoid. Kent Pollock, an investigative reporter whose articles on police corruption in the *Inquirer* in November, 1971, had led to two official investigations of the department and the arrest of forty-three policemen, increasingly began feeling that he was being watched. On one occasion, Pollock spotted a suspicious car behind him and jotted down the license number. The owner turned out to be the Philadelphia police.

Tips to Pollock from a former employer in Florida, and a law enforcement friend in North Carolina, confirmed that the police were probing his background. Then one day, returning to the office after an interview with one of his informants, Pollock was stopped and pulled from his car by two men and beaten. Pollock didn't bother reporting the incident to the police. He assumed—but could not prove—that his attackers were the police. Or perhaps some of their friends, who, in racially tense Philadelphia, were many. So many, in fact, that one major newspaper found its investigations compromised by tips to the police.

Andrea Mitchell, an incisive, street-savvy reporter who covers city hall for KYW radio, tells of feeling that she is being followed, and of the frustration of having no way of proving it. Ms. Mitchell has some cause for concern: She has been tough on Rizzo, and is married to a black man. And then there is the counsel of the Mayor himself, de-



livered at a recent press conference: "If we were following you, Andy, you'd never know it. We're that good."

"There is something intimidating, knowing that your name is in a police file," says Pamela Haynes, city editor of the *Philadelphia Tribune*, the city's largest black newspaper. "People censor themselves, more than Frank Rizzo overtly telling them, 'Well, I'm going to get you.' I know two reporters who have said to me, 'Well, I could do this story or I could write this column about Rizzo and what he did in this situation or what he did in that situation, but man, I'm not going to do it, because I might get in trouble'."

When he is asked about wiretapping and surveillance, Rizzo denies the former and passes off the latter as paranoia. "People who are concerned with wiretapping and being shadowed are paranoid," says Rizzo, hands flexing. "You have something to hide when you are always discussing or saying that your phone is being tapped or you're being followed. I never called an editor. I never called a publisher and complained, never complained to a reporter. See, I was in an arena where you had to be a man, a policeman, and I came through all the ranks and I'm used to criticism, I'm used to danger. I've been there and back."

Rizzo has been there and back; he has faced the danger. There are few, even among his most severe critics, who question his personal bravery—just as few people take seriously his assertion that he is "used to criticism." The fact is that, like most people—and all politicians—Rizzo doesn't like it. The difference is that the Mayor will go to perhaps greater lengths than others to shut it off.

Perhaps the most famous example of the Rizzo Administration's "shutting off" a journalist is the case of Taylor Grant, a radio commentator who, until he made the mistake of crossing Frank Rizzo, had been on the air nearly thirty years. Grant's most recent employer was WPEN, which provided him ten minutes three times a week for his news commentary, along with conservative Fulton Lewis as a "balancer." Grant, at sixty, is hardly a raving radical. Silver-haired and courtly, he keeps among the clutter of his memorabilia a photograph of Richard Nixon, whose hand rests

comfortingly on the shoulder of a much younger Taylor Grant. His opinions match his style: low-key, somewhat melodramatic and self-congratulatory, but hardly the stuff of revolutions.

Last Sept. 22, toward the end of his commentary, Grant included a small aside comparing Richard Nixon with Frank Rizzo:

Both men have been elected for a single reason: the one to stop the war, the other to reduce crime. Yet both men remain equally insensitive to the killing that goes on and on . . . whether it be in Quang Tri . . . or on Spring Garden St. There might seem to be some difference now, because the national leader won't talk and the local leader talks all the time. But when one considers what they say—why presto! They're the same again.

Lennox Moak, the city finance director, heard the broadcast on his car radio and phoned the Philadelphia Gas Works, a wholly owned city subsidiary which sponsored Grant, to suggest that the company buy up his contract. PGW quickly complied, and Grant, who once was ABC anchorman opposite CBS's Douglas Edwards and NBC's John Cameron Swayze, was off the air. Rizzo pronounced delight at news of Grant's dismissal and suggested that Grant be shipped, along with Jane Fonda, "on the first plane to Hanoi."

Other stations, according to Grant, since have tried to put him back on the air, if only to take advantage of the publicity. The trouble is finding a sponsor. "They [the potential sponsors] said they were very sympathetic with me," Grant says. "They said they would like to do this, and they sure hoped I got back on the air, but they wouldn't dare go to their board of directors or their stockholders to announce that they were putting out some of their advertising budget for sponsorship of me."

Still unemployed except for narration of *TV Guide's* TV spots—a long-standing assignment—Grant is understandably bitter. The atmosphere in Philadelphia, he says, seems "somewhat comparable to the old knocks on the door in the middle of the night in Germany many years ago."

The most bizarre experience, however, has been that of Greg Walter, winner of the Philadelphia Press Association's 1972 prize for Best Local Reporting and now fresh on the job as an investigator for the *Inquirer*. Walter has an obsession with



Rizzo ("He knows that I am looking for that golden key, and when I find it, I am going to turn it"), and the feeling appears to be mutual. Walter and Rizzo keep attacking and counterattacking, as if probing each other's weaknesses. Early this year someone—whether it is Rizzo is not sure—finally got to Walter: through his medical records.

The leak first appeared as two carefully written and equally anonymous letters addressed to "Eugene L. Roberts, Jr.," the newly appointed executive editor of the *Inquirer* and Walter's boss. The letters, which arrived at the *Inquirer's* offices in late January, detailed Walter's medical history in what seemed to be the best medecalese. Indeed, much of what they alleged about Walter's having been hospitalized several times in the past few years for depression and other illnesses was superficially correct. (Walter himself freely admits having checked into the hospital several times in recent years for treatment of a cerebral hemorrhage and hypoglycemia, a condition related to diabetes, which results in anemia, exhaustion, and depression.) So much was correct, with so many specifics, that the source of the letters (copies of which had also been mailed to Rizzo and Specter), immediately became suspect.

Subsequent checking revealed that the letters had a factual basis; none other than the confidential records of the Hospital of the University of Pennsylvania. By law, such records can be divulged only under subpoena of the city medical examiner (an appointee of the Mayor), and even then the medical examiner must certify that the patient is dead. Which is precisely what the medical examiner, in an act in the best traditions of Z, did. Walter was certified legally deceased.

Walter naturally was somewhat discomfited by this revelation and also highly curious. His questions ultimately led him to the office of the medical examiner, who professed surprise, not to mention embarrassment, at seeing Walter alive. It had been an honest mistake, the examiner, Dr. Marvin E. Aronson, insisted; a case of mistaken identity. In mid-March, the Philadelphia police department, which at Rizzo's request conducted an official investigation into the incident, concurred, concluding that the leak most likely was on the hospital staff.

Walter, who has worked in Philadelphia more

than ten years, now treats the latest incident with remarkably good, if somewhat black, humor—as if, as Willy Loman would say, it "goes with the territory." Walter is still at work, and so is Rizzo. Superficially, nothing has changed. But beneath the surface, in the quiet of the city rooms and editorial offices, a fundamental reappraisal is underway.

One reason is the professional stiffening of the Philadelphia *Inquirer* which followed its purchase by the Knight Newspapers in 1970 [see "The Knights Invade Philadelphia," May/June, 1971]. Gene Roberts, the North Carolina-born former national editor of the New York *Times*, came to the paper last October with a mandate he interprets as "convert the *Inquirer* into the most important newspaper between New York and Washington and one of the best three or four in the country." While the new aggressiveness has yet to infect the *Bulletin*, the "Old Lady of Market St." also has displayed increasing sensitivity to charges that local mayors—in particular Rizzo—"own" the press.

One of the most striking examples of this sensitivity came the morning after the *Behind the Lines* program on which two *Bulletin* city hall reporters, Gene Harris and S. Robert Jacobs, spoke favorably of the Mayor. Harris, a twenty-year veteran, and Jacobs, a prize-winning urban affairs reporter, were summoned into the office of *Bulletin* managing editor George Packard, who summarily announced that they were being transferred out of town: Harris to Harrisburg, Jacobs to Trenton. Harris apparently has accepted the transfer; Jacobs has decided to go to work for Rizzo.

Perhaps it is coincidence, perhaps not, that Frank Rizzo finds himself mayor at precisely the time journalism is beginning to change in Philadelphia. Coincidence or not, Rizzo, after a first year's honeymoon in office, has been the subject of the closest journalistic scrutiny of any Philadelphia mayor in memory. To date, the biggest revelation is that Rizzo can be tough, even unscrupulous. There is nothing new about people being followed or bugged or harassed or investigated or even beaten by the Philadelphia police. What is new is that now it is a few reporters, rather than ordinary citizens, who are on the receiving end. And that is news.

## Mississippi's WLBT: after the license challenge

Four years ago a Jackson, Miss., TV license was ordered vacated on grounds of failure to serve a biracial community. What has happened since?

LEW POWELL

EDWIN E. MEEK

■ In June, 1969, a rare event occurred in the history of American broadcasting: the U.S. Court of Appeals for the District of Columbia reversed a ruling of the Federal Communications Commission and ordered the license for a TV station vacated. The station was WLBT in Jackson, Miss. According to a complaint by the Office of Communication of the United Church of Christ, WLBT's ownership had systematically discriminated racially in its programming down to such details as dropping a trailer for a *Bonanza* segment that starred a black; cutting away from the *Today* show during scenes of whites attacking black civil rights demonstrators; and substituting a SORRY, CABLE TROUBLE sign during a network interview with a spokesman for the National Association for the Advancement of Colored People.

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Over a five-year period the FCC twice had voted to ignore a consistent pattern of such actions and renew WLBT's license, held by the Lamar Life Broadcasting Co.; both times the FCC was overruled by the Court of Appeals, then presided over by the present Chief Justice of the United States, Warren Burger.

The decision still is reverberating throughout the broadcasting industry. As *Broadcasting* magazine declared:

[The case] did more than establish the right of the public to participate in a station's license-renewal hearing. It did even more than encourage minority groups around the country to assert themselves in broadcast matters at a time when unrest was growing and blacks were becoming more activist. It provided practical lessons in how pressure could be brought, in how the broadcast establishment could be challenged.

Dozens of citizen challenges have followed. And while none has reached the license-stripping stage, several have ended with significant formal concessions from station owners; dozens of stations have

forestalled challenges by quietly changing employment and programming policies; and the industry and its political allies have reacted with a spate of bills that would restore the licenseholder's pre-WLBT advantages.

Permanent possession of the WLBT license is still at issue and may be for years to come. Eventually, the latest FCC examiner will submit a recommendation—she is months late already—and the FCC will have to decide whether to return the license to Lamar Life or to award it to one of four other applicants. Meanwhile, the station is operating under an interim license to a nonprofit organization, Communications Improvement, Inc. Already, since taking over in 1971, CII has, among other accomplishments:

- employed the nation's first black TV station manager;

- increased black employment from 17 per cent to 38 per cent;

- exposed its vast Southern audience to significant amounts of black news and entertainment;

- accumulated, in its first year alone, \$120,000 in profits for distribution to educational TV and to communications programs for black students.

CII has not been without its problems and failures. But at least two groups—the black community and broadcasters—would do well to examine closely the implications of its successes. The next licenseholder, for example, who tells the FCC at renewal time that he can't find qualified minority employees will face devastating evidence to the contrary.

CII is not an applicant for the permanent WLBT license. It was awarded the interim license primarily because the FCC did not want the station's profits to prolong the legal efforts of any of the five applicants for the permanent license. CII's equipment is Lamar's (rented at \$30,000 a month), but its philosophy is that of Dr. Everett C. Parker ["Everett Parker's Broadcasting Crusade," Fall, 1969], head of the United Church of Christ's Office of Communication. Ken Dean, who formed CII in early 1970, insists that Parker was not involved in it until the idea had been born. There is no question, however, that Parker and Earle K. Moore, attorney for both the church and CII, have since played major roles.

Key local members of CII's board are Dean, a nonpracticing Southern Baptist minister and former director of the Mississippi Council on Human Relations; Earle F. Jones, a business systems expert with Holiday Inn interests; Dr. Aaron Shirley, a black physician who heads the Jackson-Hinds Comprehensive Health Center; and Jack Shuford, an insurance executive. National members include Moore; Edward W. Barrett, former dean of Columbia's Graduate School of Journalism; James Day, former president of New York City station WNET; and C. Shelby Rooks, executive director of the Fund for Theological Education and board chairman of the Office of Communication.

When CII took over the station, whites who were aware of it reacted with a mixture of confusion, apprehension, and antagonism. Inside the station, many Lamar holdovers reacted with outright hostility. CII fired no one at first, hoping to effect change through the incumbent staff. But Lamar *Life's* ways died hard, and many resignations ensued. One of a handful of firings occurred at the top: station manager Bob McRaney was dismissed in March of last year. McRaney, a station employee for twelve years who had been manager for the past six, was accused of failing to fill enough staff vacancies with blacks, retaining station membership in segregated clubs, and, in general, being unable to adapt to the spirit of the new management.

Now manager of WWBT-TV in Richmond, Va., McRaney contends that his firing was a surprise. Memos and board minutes, however, reflect a continuing disagreement over his performance. McRaney was most unhappy with Dean, whom the board named a parttime in-station "consultant" to expedite its plans. The former manager is reluctant to discuss the events leading to his departure, but says he "had no difficulty accepting any of the goals" of CII, though "broadcasting can't all be to change society or to implement social goals."

"Looking back," Dean says, "I think we asked Bob to change too many gears at once. I have a very high regard for Bob."

William Dilday, who then lived in Boston, was told of the vacancy through Douglas O'Connor,

a friend in the UCC's Office of Communication. "There's only one catch," O'Connor said. "It's in Jackson, Miss." Dilday's immediate response was curt and negative, but he was soon won over, becoming the first black station manager in the U.S.

Dilday, now thirty-five, is a graduate of the Boston University School of Business. Among other experience he spent three years as personnel manager at Boston's WHDH—which lost its TV license in a landmark decision centering on concentration of media [CJR, May, June, 1972]. Left with only its radio outlets, WHDH became a bearish job market. "I didn't feel any need for my services at HDH," Dilday says. "The staff had been cut close to two-thirds, and the handwriting was fairly clear."

He does not pretend to delight in living in Mississippi. But inside the station, next door to a seafood restaurant that still outfits its black waitresses in mammy costumes, Dilday is a man who seems to relish doing business. He is aware that many employees of both races find him, in his words, "aloof and cold" compared with the glib and effusive McRaney, but says it is mostly a matter of style. "I'm not used to the great-big-happy-family, invite-you-to-dinner way of doing business," he says. "I work through my managers."

Probably the best example of the two men's contrasting approaches came in their handling of dissident black employees. In February, 1972, a memorandum to McRaney from the station's fourteen-member "black caucus" called for increased participation in decision-making and cited several personnel grievances. A month later McRaney responded by sending to all employees an information packet including excerpts from CII's application, the FCC's decision and board minutes, plus a "Statement By Management" that concluded:

[Our goal], of course, can be achieved only by unity, pride, dedication, loyalty, and personal and professional integrity. No one person or group, at any level of station operation can do it; it requires us all. It requires a cooperative attitude and a willingness to do far more than is expected. Our staff must consist of sincere, hard working, dedicated individuals striving together to serve our community better.

Over the following weeks, the black employees continued to express dissatisfaction in memos and

complaints to the FCC and the Mississippi Equal Employment Opportunity Commission. Shortly after Dilday took over, he offered to talk to two representatives. In June, 1972, the blacks rejected the offer, insisting on everybody or nobody. Dilday's response is the last communication to date between management and the black caucus:

I find myself frustrated and disappointed by your stance. I thought most black people had moved to a degree of sophistication which would allow them to trust the integrity and ability of any brother or sister THEY had selected to represent them.

If among your whole group, you do not have two people you feel are intelligent and articulate enough to effectively express your feelings and concerns, then you have far greater problems than you realize.

I regret the tone I am forced to take with this memo but in this day and time when black folks should be about nation building, I become somewhat annoyed when I find people playing passé 1960s games. . . .

Many white employees also have been discontented under CII. Fear of being fired to make room for blacks led to a unionization effort by white technical and production personnel. (Actually, no more than a couple of whites have been fired—for other reasons—but CII probably contributed to rumors of a racial purge by not taking a clear position.) According to Dean, CII opposed unionization because "it could prohibit implementation of our goals." McRaney, speaking for CII at a National Labor Relations Board hearing, went so far as to contend that four black janitors should be classified as technicians because they "help move equipment every Sunday." Remarkably, the hearing examiner agreed; but management's hoped-for white backlash did not materialize and the union was voted in.

Dilday says his biggest problem has been racial prejudice—not against him so much as against what the station is trying to do. "I didn't realize that ideology and philosophy could overcome some people's desire to make a profit," he says. "Coming from a city like Boston—which is by no means devoid of prejudice—I expect people to pull together from 9 to 5 to make money. That's always the bottom line. It's the resistance to the fellow worker that surprises me: to see him about to make a mistake and letting him, to never acknowledge that he can be good."



Dilday says the heavy turnover since CII took over (about forty-two of eighty holdover employees have departed) has eliminated most of those who have difficulty working with blacks. Upon CII's arrival, 17 per cent of the staff was black; now it is 38 per cent, and the target of 38 to 42 per cent (the same as WLBT's audience) is close enough so that Dilday foresees the board's being able

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## *"Accomplished something noteworthy in Jackson . . ."*

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to drop its black-preference hiring mandate. (In contrast, at 609 TV stations surveyed by the United Church of Christ in 1972, black employment averaged 10 per cent, and one station in three hired only whites for management, professional, technical, and sales positions.)

"Until now it's always been a chicken-and-egg situation," Dilday says. "Blacks haven't been prepared for radio-TV work because they knew there wouldn't be a job for them anyway."

Assistant program director Nehemiah Flowers, Jr., rejects the argument that CII is bringing in "unqualified" blacks—a widely circulated belief among whites. "It's the same thing they've done for years, bringing in white boys and starting them on the switchboard," he says. "There were no repercussions or flak about that."

Flowers is a prize example of blacks' potential. Hired as a cameraman in the last year of the Lamar administration when it was struggling to demonstrate it had mended its ways, he has steadily worked his way up. Flowers and Tom Alexander, a black assistant production manager, talk about staying after hours to learn, about what the station means to blacks, about professionalism. Flowers says blacks' reaction to CII's personnel and program changes has been overwhelmingly positive. He adds, however, that he has been accused of being a showpiece—"a nigger in a glass office"—by some blacks who

cannot believe that "we do have some pertinent input" into the station's operation. Alexander, a leader in the now-defunct black caucus, says he has found from his own experience as a fledgling middle-level executive that "when a black has to tell another black what to do, he becomes isolated." Like so many of the employee problems at WLBT, this phenomenon is only coincidentally racial.

Conversely, there are whites like Hewitt Griffin. Until February, Griffin was program director; twice he had served as acting general manager. He started in 1962 as early-morning news director. He, too, worked his way up. When he resigned, he said it was "without animosity," but the scars are plain.

"I've invested a good part of my life in this station," he said in an interview during his last week at work. "It's not just another job to me. But you have to establish your own priorities. The first obligation has become internal problems instead of the viewing audience. My feelings are those of a tired man. I'm tired of having people come into my office with tears in their eyes, tired of seeing good people leave, tired of not being the best broadcaster I can be."

Griffin was the last of the Old Guard's top executives and an outspoken admirer of McRaney. "I can see now there was no way he could have stayed," he said. "I'm convinced they were going to put in a black manager, regardless. I ought to have left with him. You can't compromise your standards. That was my first mistake."

Like McRaney, Griffin, though a native Mississippian and "not a bleeding heart or even a Democrat," said he agreed with the stated aims of CII. "I kept thinking: 'It's going to work, starting tomorrow it's going to work. . . .' It can't be done with indulgence. To accept any kind of double standard is to step backward, not forward."

Professionalism is a term that recurs in conversation with both factions. CII's first year was marked by an epidemic of technical problems—many of them glaringly visible on the air, especially on local news programs. There has been significant improvement in the past few months, as turnover decreases and experience grows—though the allegation that CII is chronically "un-

professional" persists among its various detractors.

To other broadcasters and much of the white viewing public the foul-ups reinforced the idea that the station was falling apart. But its audience decline proved slight and temporary. ARB ratings for the first year of the interim showed the 6 p.m. news dropping from 42 per cent of the metropolitan audience to 36 per cent, but by late 1972 the station led the field with 44 per cent. In prime-time access programming, another key, WLBT leads the metropolitan area four nights out of five. Its signal—strongest in the state—continues to give it the lion's share of total homes.

In its application CII proposed local programming of 16.4 per cent of its schedule. A sample week, May 11-17, 1972, shows 15.3 per cent local programs. In a 1969 study of thirty-two Mid-Atlantic Region stations, Ralph L. Stavins found fewer than one in four stations exceeding 15 per cent; some were below 5 per cent.

Local weekday programming includes *Coffee With Judy*, a one-hour interview program aimed at women; *Our Playmates*, a thirty-minute biracial children's show with a black teacher; a midday news program that includes a farm report, a calendar of local events, and a religious segment; and other news programs at 6:45 a.m., 6 p.m., and 10 p.m. Dilday is especially proud of *Our Playmates*, which had incurred lengthy production and personnel problems before going on the air in October, 1972. *Pumoya*, a local black affairs weekly, began in March with a look at the problems of an unemployed Vietnam veteran. After the state's public TV network, funded by the legislature, found the Public Broadcasting Service's *Soul* too controversial, WLBT claimed it—at an annual cost of about \$50,000 in expenses and lost revenue (PBS prohibits commercials).

Dilday himself now appears on the air to read editorials, for which a black woman graduate of Mississippi State University sometimes does research. The first two editorials supported bills to enact compulsory school attendance and to lower loan-company interest rates.

Though Dilday handles the day-to-day decisions, CII's policy direction emanates largely from Dean, who is a lightning rod for criticism both inside and outside the station. "I feel as if I am the guy that has to do a lot of the things [the employees]

feel are dirty," he says. "All that's all right. . . . I'm not running a popularity contest with anybody." He prides himself on maintaining contacts in groups as disparate as the Ku Klux Klan, the FBI, and the Democratic Party, and CII has given access to air time to everyone from the National States Rights Party to the Republic of New Africa.

In late 1972 the station's broad concept of news twice resulted in coverage of activities of J. B. Stoner's National States Rights Party. Jewish leaders, the FBI, and elected officials had asked news media to ignore it, but WLBT refused. After a dramatic, 1960s-style confrontation between Stoner's pickets and black demonstrators dominated WLBT's evening news, Gov. William Waller threatened to protest to the FCC. (He didn't.)

Mrs. Patricia Derian, a shareholder in Civic Communications Corp.—one of the applicants for the license—says CII "has opened up a whole new category of television news: reporting the black community as something more than an accessory to the *real* news." But convincing blacks that the station is really interested in them is a continuing job. Dean recalls the problems of setting up the midday *Calendar* program:

"We first had Mr. Flowers write a letter to each group, organization, and church in the area indicating this service is available and free to everyone. We got absolutely no response from the black community. . . . I guess you would have to say blacks are not generally oriented in this direction. It's just like voting; you go register black people to vote, and they don't vote unless you go get them to the polls the first couple of times. . . . We had him go back the first few times until the idea caught on, and we are now getting black participation. And I think that is pretty much characteristic across the board. There are very few black people who are accustomed to having access to television as part of their lives."

Jackson's other media have been watching developments at the station with great interest, of course. Both WJTV, which barely escaped being challenged along with WLBT, and WAPT have in recent years added black reporters and expanded their definitions of black news. All three stations lack the news budgets and personnel

necessary to regularly transcend the daily routine of fires, auto crashes, and press conferences. (WLBT took a major step in March, hiring Harry McCarthy, a network documentary-maker for sixteen years, as news director.) But even their spirited thrashing is a refreshing contrast to the torpidity of the *Clarion-Ledger* and *Jackson Daily News*. Neither paper has a black, paid, staff reporter; neither shows any interest in covering the black community. The *Daily News'* apparent response to CII is channeled through its action-line-style "Ask Jack Sunn" column. Jack Sunn is a disgruntled ex-WLBT employee who frequently finds room for a reader's snipe at the station.

On the business side, CII appears to be performing up to par. In its first twelve months, CII's net operating income was slightly over \$120,000. From 1967 through 1969, according to FCC records, Lamar averaged \$314,000, but CII incurred \$50,000 in startup costs, and its rent was \$205,000 more than Lamar was allocating for de-


preciation on the same equipment. Had accounts been on equal footing, CII might have generated an operating income of about \$375,000.

About eight advertisers pulled out with Lamar; all but two have returned. Advertising sales for the first half of 1972 were the highest in the station's history, and Dilday says revenues are running 25 per cent ahead of McRaney's projections. "I expect that we will be able to 'maximize profits'—the Bible of the industry—in a year," he says.

CII, then, believes it has accomplished something noteworthy in Jackson, Miss. Regardless of who wins the permanent license, it seems likely that many of CII's changes will endure. For one thing, it would be difficult to explain retrenchment to a black audience that has come to expect black faces and programs. The FCC, already embarrassed at having had two of its WLBT decisions overturned in court, will surely be interested in seeing tranquility maintained in Jackson.

#### Patriots' embarrassing moments department

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**WINN-DIXIE  
STORES**

—Roanoke, Va.,  
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**WINN-DIXIE  
STORES**

—Roanoke, Va.,  
*Times*, Jan. 30.

## Notes on the art

### Postal rates and press diversity

■ What does *Time* have in common with the *Hudson Review*? Or the *Texas Methodist* with the *Jewish Daily Forward*? Or the *Des Moines Register and Tribune* with the *Bulletin of the Atomic Scientists*? Or the *American Legion Magazine* with the *Milwaukee Labor Press*? Or the *Cheese Reporter* with *Sport Aviation*? They are all publications, of course; they all depend on the mails to reach many, most, or all of their readers; and they all fear that they face, at best, severe financial crises and, at worst, extinction if the United States Postal Service is permitted to impose announced increases in Second Class postage rates.

In recent weeks, the Post Office and Civil Service Committees of the House and Senate have been holding hearings on various bills to provide newspapers and periodicals with relief from the long-term increases in Second Class charges announced last year by the Postal Service. The next phase of the five-year schedule of increments is to go into effect on July 6. The legislation, if any, that emerges from the committees' deliberations will have a profound impact on thousands of daily and weekly newspapers, magazines, and journals of almost every sort that circulate through the mails.

The extent of the impact and its severity are in dispute. Though periodical publishers are almost

unanimous in petitioning Congress for relief from increases, there is a basic disagreement between large and small publications about the kind of relief to be granted. Underlying the whole controversy is the difficult question of whether the Government—that is, the taxpayer—has an obligation to provide a "subsidy" to the press.

Such an obligation would seem to be deeply rooted in American tradition. Printed matter has enjoyed favorable postal rates since 1792, under a rationale that was summed up this way in 1901 by Postmaster General Charles E. Smith:

Our free institutions rest on popular intelligence, and it has from the beginning been our fixed and enlightened policy to foster and promote the general diffusion of public information. Congress has wisely framed the postal laws with this just and liberal conception. It has uniformly sought to encourage intercommunication and the exchange of intelligence.

Justice William O. Douglas made the same point in his 1946 opinion in *Hannegan v. Esquire, Inc.*:

The policy of Congress has been clear. It has been to encourage the distribution of periodicals which disseminated 'information of a public character' or which were devoted to 'literature, the sciences, arts, or some special industry,' because it was thought that those publications as a class contributed to the public good.

Whether by inadvertence or design—and it seems to have been more by design—Congress departed from this long tradition when it passed the Postal Reorganization Act in 1970. In creating the new, semiautonomous Postal Service, Congress did instruct it "to provide postal services to bind the nation together through the personal, educational, literary, and business correspondence of the people." At the same time, it directed the Postal Service to put itself—and all classes of mail—on a self-sustaining basis.

The Postal Service argues that in proposing substantial increases in Second Class rates it is merely carrying out this mandate. It regards the rate structure it announced last year as "an imaginative and economically sound method" of coping with the deficit. "Second Class mail," says Postmaster General E. T. Klassen, "constitutes 25 per cent of the total weight of all the mail we must deliver."

Under the rate schedule ordered by the Postal Board of Governors last July, the Second Class mailing fees paid by all publications will increase, in five annual steps, by an average of 127 per cent. Some publications will pay less and some—particularly small periodicals which carry relatively little advertising—will pay substantially more. Understandably, the Postal Service prefers to dwell on the average increase and its projected impact on large and prosperous publishers. The Postmaster General wrote last Aug. 2 on the Op Ed page of the *New York Times*:

As recently as 1970, the average postage paid per copy of *Time* was 1.7 per cent; per copy of *Life* it was 2.2 per cent. Now, it should be obvious that an increase of 127 per cent of a small amount will result in another small amount. For example, in the case of a typical half-pound magazine, the July 6 increase brought the per-copy mailing costs to about 3.2 cents. After the full phase-in of the increase over five years, the average mailing cost for this half-pound magazine will be 5.8 cents compared with 8 cents an ounce for letters and 13 cents for half-pound advertising circulars that is being paid by mailers right now.

In Klassen's view, the publishers "may be crying wolf too loudly," and have mounted "a carefully contrived campaign" to have Congress block the increase.

There are, indeed, two "carefully contrived campaigns"—one conducted by the Magazine Publishers Association, which tends to be domi-



nated by publishing giants, and the other by the year-old Committee for Diversity of the Press, an ad hoc group formed last year by such smaller publications as *Commonweal*, *Human Events*, (*More*), the *Nation*, the *New Republic*, the *New York Review of Books*, the *Progressive*, *Rolling Stone*, *Transaction/Society*, and the *Washington Monthly*. Whether the giants or the small magazines are "crying wolf" about the increases, however, is arguable.

In a letter to the *Times* replying to Klassen's Op Ed article, chairman Andrew Heiskell of Time, Inc. stated that his corporation's rate of profits on its magazines in 1971 was about 2.5 cents per copy—but the "new 'small' rate increases amount to more than 3 cents per copy for our publications . . . sufficient to wipe out all profits and then some." In testimony last year before the House Subcommittee on Postal Service, Heiskell said:

As Eugene Duffield, chairman of the Magazine Publishers Association, indicated before this committee . . . the pre-tax earnings of those magazines which report such figures to the MPA—and that's a pretty large percentage of the industry—amounted to about \$32 million in 1970. If those same publishers absorbed the cost of the rate increase directly, that profit would be replaced by losses of \$59 million.

Postmaster General Klassen doubts that the taxpayers will want to shoulder any burdens for corporations that earned profits of \$32 million in 1970. He further contends (and many would agree) that the threat of postal rate increases was only a minor factor—if any—in the demise of *Life*, *Look*, and the *Saturday Evening Post*, magazines whose spectral shades are often invoked by the MPA in its lobbying efforts. And he notes that three to five times more magazines have been started than have died in recent years—"hardly a sign of imminent disaster." But Congressional files are fat with pleas from hundreds of less

powerful publications, some of which have provided detailed analyses of devastating consequences they expect from the postal increases. A fairly representative sampling:

From David Kruidenier, president and publisher of the Des Moines *Register and Tribune*:

More than 50,000 of the 247,000 Des Moines *Register* subscribers get their newspapers by mail. Almost all of them live on RFD routes. If the present postal service rates, including the surcharge (which is most damaging), are allowed to follow the proposed schedule, the increases per customer would amount to an estimated \$9.60 annually, or slightly more than 223 per cent. . . . These proposed higher rates would put the cost of our and other daily newspapers beyond the economic reach of thousands. . . .

From Warren J. Smith, secretary-treasurer of the Ohio AFL-CIO, which publishes a monthly called *focus*:

On a yearly basis it cost \$30,323.80 to mail our 750,000 copies before the increase (we publish only nine issues per year). When the full increase is in effect, this will cost a staggering \$120,560.40 to mail the same number of copies.

From Albert P. Stauderman, editor of the *Lutheran*:

The impact of the proposed increases in Second Class postal rates will make it difficult and perhaps impossible for nonprofit publications to survive. In our own case, the cost of mailing to our 530,000 subscribers could rise from the present \$72,000 annually to about \$240,000.

Inevitably, postal costs bulk larger in the budgets of small publications distributed entirely or predominantly by mail than in those of large newspapers and magazines that enjoy substantial newsstand sales. James Storrow, editor and publisher of the *Nation*, pointed up the difference last year in a letter to *Time*:

Our circulation is, as you know, very small in contrast with

yours, and we are not therefore in a position to obtain, proportionately, the advertising income which you receive, and which accounts for the major portion of your revenue. Our income, by contrast, is almost entirely restricted to the sale of subscriptions to our readers. One can quite accurately say that we are in different businesses, so far as our major source of funds is concerned.

The disparate impact of postal increases is intensified by complexities in the Second Class rate structure. One is the Postal Service's eight-zone system, which assigns fees in relation to the distance a periodical must travel from its entry point. Publisher Robert J. Myers of the *New Republic*, representing the Committee for Diversity of the Press, explained:

Members of our group—in fact all small, nationally circulated magazines—basically use one entry point, sometimes two in the same zone: the printer and the magazine office. But large publications might use over fifty entry points. This means they generally pay only Zone One and Two rates, not the expensive ones. . . . We simply cannot take advantage of this multiple-entry idea, which, I suspect, has been built into the system over the years by those who can and have.

A second problem arises from the Postal Service's interpretation of the Second Class rule that "Publications must have a legitimate list of persons who have subscribed by paying or promising to pay at a rate above nominal. . . ." This is officially defined as 50 per cent of the regular subscription price. As a result, Myers notes:

Most major publishers flood their own publications and the mails with half-price offers, to expand their circulations at a loss paid for by advertisers. This is all right, except it conditions the U.S. public to half-price offers and makes it more difficult for those of us who don't want to use them, or don't use them, to sell our product.

He and the Committee for Diversity have proposed raising the requirement, in stages, to 75 per cent.

Finally, small publications believe they are unduly penalized by a per-piece surcharge on Second Class mail, which is imposed regardless of size, weight, advertising content, and distance mailed. It is scheduled to rise from .3 cents this year to 1.6 cents in five years.

Among the remedial measures now under consideration, one—which bears the joint (and ingenious) sponsorship of Sens. Edward M. Kennedy and Barry M. Goldwater—addresses itself primarily to the needs of the larger publications, and there-

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### **"Nothing less than a death sentence for a number of publications . . ."**

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fore has the MPA's support. It would provide a ten-year (rather than five-year) phase-in for the Second Class increases, applied to both advertising and editorial content. For the first 250,000 copies of each issue, a publication would pay only two-thirds of the applicable rate. Since nonprofit periodicals already are covered by a ten-year increase schedule, this would not affect them.

The Committee for Diversity of the Press favors alternate legislation sponsored by Sen. Gaylord Nelson that would eliminate the per-piece surcharge on *all* Second Class mail; provide a ten-year phase-in for rate increases on editorial (but not advertising) content; restore and retain the Second Class rates in effect on June 1, 1972, for the first 250,000 copies of any publication (with the deficit to be covered by appropriations); and establish Congressional policy requiring the Postal Service to maintain rates that will "en-

courage and support the widest possible dissemination of news, opinion, scientific, cultural, and education matter."

The Committee for Diversity points out:

There are precedents for special rates for low numbers of mailing: the first 250,000 pieces of third class are 20 per cent less than thereafter; and outside-county mailing, which affects mainly newspapers, under 5,000 is at a lower rate. In any case, some such amendment, affecting all publications equally, might be considered, to make up for the fact that the multi-entry system is valuable only to large publications.

Nelson says his bill is designed primarily to preserve the "many, many small diverse publications—agriculture newspapers, the religious press, labor journals, and intellectual magazines" that would be hardest hit by the Second Class increases, as well as various newspapers or magazines "which are virtually nonprofit and therefore unable to shift the burden of the increases to either subscribers or nonexistent advertisers."

"It is these voices," he adds, "the little press, the controversial, the opinion press—which serve the specialized interests of some Americans and the basic interest of all America. Their voices may not be heard or acknowledged in the corporate boardrooms of the U.S. Postal Service where the singular preoccupation appears to be efficiency and bigness, but I do not believe that the case of the small but vital independent voice of journalism will be unheard or unappreciated in Congress."

The chairman of the Senate Post Office Committee, Sen. Gale W. McGee, and Rep. Morris K. Udall of the corresponding House group, are each sponsoring legislation that would combine or compromise various features of the Kennedy-Goldwater and Nelson bills.

Not all publishers favor the Nelson approach—or any form of Second Class relief. Barry Bingham, Jr.,

of the Louisville *Courier-Journal* says all classes of mail users should be compelled to "pay their own way," and adds: "I think that, over the long term, a subsidy for the printed press will have a destructive effect and that it will lead to eventual Government control." Robert W. Chandler, editor of the Bend, Ore., *Bulletin*, comments: "In this affluent society, where 95 per cent of our people have more in the way of real income than they have ever had before, I have little sympathy for newspaper publishers who ask for a postal subsidy."

G. Gordon Strong, president and publisher of the Thomson-Brush-Moore Newspapers, believes that "whatever costs are incurred by the Post Office in handling Second Class mail should be passed on in toto to those holding Second Class permits." And Ben T. Shaw, publisher of the Dixon, Ill., *Evening Telegraph*, believes it is time for the Government to get out of the mailing business altogether: "This would give some thoughtful citizens a problem to solve and they would solve it to the advantage of all Americans, as well as themselves."

Even among those publishers with deep reservations about Government subsidies, however, most have wrestled with their consciences and decided that the Second Class rate is the exception that proves the rule. Robert D. Kephart, publisher of the conservative weekly *Human Events*, says he is opposed in theory to Second Class subsidies and would "vastly prefer to see postal services demonopolized" and supplanted by free-market competition in mail delivery. But he adds: "Given the existence of government monopoly of the mails, however, I believe the only effect of these awesome increases in Second Class rates, spread as they are over only a five-year period, will be to close down a great number of smaller circulation Second Class periodicals, and prevent a great many others from being born."

From the other end of the political spectrum, Morris H. Rubin, editor of the *Progressive*, says: "Truly progressive taxation is based on the simple premise of ability to pay. In much the same way I support what might be termed a progressive concept of subsidies: Publications that are making profits ought to pay more than they do now for Second Class mailing privileges, while small, nonprofit publications, with the least ability to survive, deserve a helping hand if the nation is to continue to benefit from the publication of that diversity of viewpoints cherished by the Founding Fathers."

The Postal Service estimates that foregoing its announced rate increase for the first 250,000 copies of any publication sent through the mails would cost it about \$38 million a year. John Fischer, writing in the May issue of *Harper's*, calls this "the scrawniest kind of chicken feed" compared to the billions in subsidies regularly dispensed to corporate farmers, oil producers, bankrupt railroads, and military contractors, among others. As Fischer admits, he is not a disinterested observer. Neither is this reporter. But it seems difficult to quarrel with his judgment that unless Congress intervenes, the Second Class postage rates will amount to "nothing less than a death sentence for an unpredictable number of publications."

ERWIN KNOLL

Erwin Knoll is Washington editor of the *Progressive* magazine.

## Honolulu: trials of a media council

■ After two and a half years of daintily attempting to ease fric-

tion among newsmen, government, and the public, the Community Media Council in Honolulu—the largest American city to have one—is faltering. The volunteer chairman since October, 1971, Thomas H. Hamilton, recently resigned. Hamilton, a former president of the University of Hawaii, reluctantly decided that he must concentrate on work for which he is paid. Many council members see a need virtually to write off past experience and start all over again.

Honolulu is only one of many American cities where the news media are under increasing fire from both government and the public. Justifiably or not, as emotions rise, media credibility is impaired. Meanwhile, editors and broadcasters extol the principles of freedom of speech and the right to know while often remaining tight-lipped about shortcomings in the way they exercise those principles. As a result they are under increasing pressure to police themselves or have others do it for them—regardless of the First Amendment.

Honolulu is far different from other cities in that the 630,000 residents of its metropolitan area are almost completely dependent upon local media for news. For most Hawaiians, air-freight charges make mainland newspapers prohibitively expensive. Network TV news consists of air-freighted videotapes—often overtaken enroute by later events or received when most Hawaiians are asleep. (High costs limit live telecasts via satellite to the most urgent and newsworthy coverage.)

The result of all this is that Hawaiians—beset by mounting economic, ethnic, and ecological problems and isolated from the rest of their country by 2,500 miles of Pacific Ocean—are extremely sensitive to news media performance. So they have been in the forefront of the fledgling media council movement.

In theory, the Honolulu council exists to bring together newsmen, officials, and representatives of "the

people" to frankly discuss their mutual problems and how best to solve them. The council has been paid a great deal of pious lip service by editors and civic leaders. But it never has received a wholehearted moral commitment from top public officials, media management, or most working newsmen. Without such a commitment, its horizons have been severely limited.

John Kernell of KGMB-TV, one of the original members, sees progress in the mere fact that "some of the most influential media people in town are willing to sit down month after month and rap." The most important "rapping," however, has not been in the public meetings of the full council—whose membership has fluctuated around thirty—but in off-the-record, clubby lunches of the ten-member agenda committee, which meets every one to three months, usually in the "Fish Room" of a tropical restaurant called The Willows. (Under a recent restructuring, the group expanded its membership limit to fifteen and changed its name to the "executive committee." But its authority remains undiluted.)

The agenda committee has determined what complaints and other matters the full council should discuss. It hasn't directly killed or suppressed anything, but it has presoaked and rinsed a lot of dirty laundry. The editors of both Honolulu dailies are committee members.

In general, the council atmosphere has been like that of the Fish Room: languid. As Harlan Cleveland, president of the University of Hawaii and onetime executive editor of the late *Reporter* magazine, put it: "I think the aloha spirit around here could stand a little more frank exchange."

A few months ago, a youthful militant on the full council, John Witeck, threatened to quit. He denounced the council as "a farce, a lie, protector of the status quo and business monopoly." He relented when even conservatives on the



council made it clear that they wanted him to remain.

The Honolulu council was conceived in 1969, a few months after Frank F. Fasi, a flamboyant, maverick Democrat, became mayor. Fasi, who fancies himself as the little man's David challenging the Establishment Goliath, had been bitterly opposed in his 1968 campaign by the conservative *Star-Bulletin*, Hawaii's largest newspaper (circ. 124,000). The *Star-Bulletin*, which is now part of the Gannett group, was then locally owned.

After taking office, Fasi barred *Star-Bulletin* reporters from his news conferences. This sharply curbed public access to information on city government, alarming many Hawaiians. The Rev. Claude F. Du Teil, rector of St. Christopher's Episcopal Church in suburban Kailua, decided to do something about it.

In July, 1969, Du Teil phoned mild-mannered John Kernell, who was then Fasi's information chief. The rector then phoned the editors of the city's two dailies, A. A. "Bud" Smyser of the *Star-Bulletin* and George Chaplin of the *Advertiser*. They all agreed in principle that a community-media council might work. Du Teil next contacted Jim A. Richstad, an assistant professor of journalism at the university who had just returned from a Stanford University conference at which press councils were a main topic.

This activity resulted in a day-long "Community-News Media Conference" attended by 150 persons in January, 1970, followed by smaller meetings which brought about formal establishment of a media council on Nov. 16, 1970.

At the first meeting, one of Hawaii's most respected public figures, retired Judge Gerald R. Corbett of Family Court, was chosen council chairman, Du Teil, vice chairman, and Richstad, director. The next day, a *Star-Bulletin* report of the meeting began:

If you think newspapers slant news and television commenta-

tors wiggle their eyebrows too much, there is now a place in Honolulu to take your complaint.

Shortly thereafter, Fasi opened his doors to *Star-Bulletin* reporters. (But relations have remained strained. Last spring he astounded eight visiting Asian editors, who knew little of the feud, by declaring that "I wouldn't give two cents for that sonofabitch Bud Smyser [the *Star-Bulletin* editor].")

One of the few other substantive accomplishments the council can claim concerns terminology used in reporting the Vietnam War. On March 25, 1971, council militant John Witeck urged that the news media stop using such terms as "the enemy," "enemy troops," "Communists," or "Communist forces." Both daily newspapers defended such usage, and a month later the media council appointed a five-member committee, including Witeck, to investigate.

On May 26, the committee presented its report. Urging that the media adhere as far as possible to accurate, specific terminology, it concluded that "the basic problem we face . . . is, more than anything else, a problem of inaccurate and oversimplified reporting by the use of certain 'umbrella' terms to cover a wide variety of people, places, and events." The council readily accepted the report and directed that it be disseminated nationally.

The response was elating. H. L. Stevenson, then managing editor of United Press International, expressed "substantial agreement." The weekly newsletter *UPI Reporter* quoted from the resolution and noted the *Star-Bulletin's* earlier leadership in dropping such terms as "Communist" China and "Red" China. Arthur Ochs Sulzberger, publisher of the *New York Times*, wrote that he "deeply" appreciated the council's resolution and "the support it contains" for his own position.

The Vietnam achievement was shortlived, however. A year later,

the same old labels were back.

Some examples of other complaints handled:

—The Rev. William Goodman, an evangelical minister, complained that his sort of religion wasn't covered adequately. He urged newspapers to publish scriptural quotes and theological discussions. The papers rejected the complaint as unjustified. The council discussed it at two meetings and took no action.

—University president Cleveland expressed concern that TV coverage of campus protests might exacerbate them. The council discussed this at three meetings. TV executives declared that they had already instituted adequate safeguards; some concern was expressed that in so doing the stations might be suppressing news. End of action.

—Two TV newsmen complained that John A. Burns, Hawaii's crusty governor, didn't hold news conferences. A four-member council investigating committee held a three-hour breakfast discussion with Burns, who insisted that he preferred private, informal meetings with individual newsmen. Burns complained of distorted coverage and of newsmen failing to do their homework. The issue remains unresolved.

—Several council members expressed concern that the *Advertiser* had dropped a weekly column by the Rev. Larry Jones, a community organizer and antiwar activist. John Griffin, editorial page editor of the *Advertiser*, insisted that Jones had not been dropped because of his views, but because he had changed from a factual reporter to a sermonizer and the quality of his writing had deteriorated; besides, the *Advertiser* was economizing and had dropped several columnists besides Jones, who was paid \$20 a week. Council member Witeck wanted the council to pressure the *Advertiser* to reemploy Jones; the council refused. Five months later, however, it elected Jones to council membership. Meanwhile, he was



hired to do a weekly broadcast on KHVH radio, whose owner, Lawrence S. "Bob" Berger, had quit the council shortly after its formation.

Leadership has been a problem. Judge Corbett resigned as chairman because of ill health; he was replaced temporarily by Du Teil, and then by Hamilton. Hamilton told me in a recent letter: "I think the council has . . . suffered from its leadership. I have simply taken on too many community commitments. . . ."

Hamilton was never expected to bear the brunt of council work; the nitty-gritty was supposed to be Richstad's job as director. But there was no money to pay him and he had too many jobs already. For a time, with limited help from two graduate students, Richstad managed to grind out a council newsletter and thorough minutes of council meetings. He helped arrange several meetings with media experts from the mainland; he even tried to do research to help the council approach local issues intelligently.

Then he changed fulltime jobs, moving from journalism teaching to administrative work at the East-West Center, an intercultural affiliate of the university supported by the U.S. Government. There he became busier than ever. The only thing that kept Richstad from quitting was the knowledge that it could kill the council.

By early last year, it was obvious that the council needed substantial revision. So Hamilton appointed three nonmembers to make recommendations: Chandler W. Rowe, president of Hawaii Loa College; Serrell Hillman, longtime *Time* magazine correspondent who now is assistant professor of journalism at the University of Hawaii; and me (I then was at the East-West Center on a research fellowship). Our research produced these impressions:

—Without at least parttime paid staffing, a media council cannot

hope to do the research necessary to handle complaints promptly and thoroughly and to prepare for worthwhile discussion of important issues in government-media-community relations. Hamilton reinforced this view in a recent letter:

I have had an interesting experience in recent months. . . . I am chairing another statewide committee, but in this instance we do have a planning grant, and thus I have a paid fulltime assistant. In this case we have accomplished in two months more of a substantive nature, it seems to me, than the media council has in two years.

—The Honolulu council has been too much of a complaint bureau, and too many of the complaints have been fringe rather than fundamental. As Harlan Cleveland has urged, complaints should be merely the "trigger" for research into and discussion of broad issues.

—Council membership has included too little minority representation and seems nearly weighted toward the media. (An analysis by Richstad determined that of the twenty-eight members in December, 1971, five represented the news media and five others were directly involved with public relations.) Donna Spaulding of the Honolulu Mental Health Association readily conceded in an interview: "There are a lot of PR people, like myself, on the council who have to deal with the media. To take a slap at them is dangerous in my job. We ought to be able to take a solid, over-all look at the media, not on a reward-and-punishment basis." Editor Chaplin of the *Advertiser* disagrees that PR people are inhibited. He says he sees no evidence of it.

—It seems untenable for editors to be members of committees that deal with complaints against their media, even if editors are kept off the task forces that do the actual investigating (as they are under a recent restructuring). No matter how honest and earnest an editor may

be, his presence on a complaints committee undermines public respect for the council.

The evaluation committee submitted its report to Hamilton last June 5. Exactly a month later, it was discussed at a full council meeting. Most members seemed to agree with the evaluators that the council needed a fresh start. Hamilton promptly appointed a three-member finance committee, including himself, to seek funds for a staff. (At this writing, no success has been reported.) Then he appointed Du Teil chairman of a four-member committee to investigate how the council might be restructured. In late September, after two meetings, this committee produced a long proposal that attacked few basic faults of the council, laid down an ambiguous statement of purposes, and established a warren of procedural rules and penalties.

Four months later, after substantial debate but a few substantive changes, the restructuring proposal was adopted. Temporarily refreshed, the council quickly decided in February to testify in the Hawaii legislature in support of shield laws for newsmen. But council members couldn't agree on what to say, so they authorized Hamilton to use his own best judgment.

It has been left principally to Father Du Teil, who started the whole thing, to remain eternally hopeful. "We [the council] get snowed by the media now and then," he has said, "but we'll catch on with more experience. Meanwhile, the media will be better served by the very existence of such councils and the community will be better served. And that's the name of the game in my book."

PAUL GRIMES

Paul Grimes is editor of special projects at the Philadelphia *Bulletin*.

## Books

### 'News from Nowhere': TV's institutional imperatives

RON POWERS

NEWS FROM NOWHERE: TELEVISION AND THE NEWS.  
By Edward Jay Epstein. Random House. \$7.95.

■ A better title for Edward Jay Epstein's book might have been "All in the Family." He has developed a splendid idea—a methodical analysis of how internal corporate policy, rather than external circumstance or long-range goals, shapes the directions of network TV news coverage—and then left himself susceptible to a climate of suspicion over that methodology: he chose a publisher that is part of the conglomerate empire the book is studying.

NBC, he says in his preface, allowed him the freest rein of any network to attend conferences, hang around the newsroom, examine memos and budget statements, and travel with camera crews. But NBC is a subsidiary of RCA, the same conglomerate that owns Random House, the publisher of *News from Nowhere*. Long before hard-bound review copies of the book were in the mail—when the bound galley proofs were in hot demand and the *New Yorker* magazine was editing its abridged version for the March 3 issue—officials at NBC were dropping remarks, oh-so-casually and strictly off the record, that *News* was mired in misinformation, specious conclusions, and an "unsophisticated attitude" toward the realities of network newsgathering.

It could be that NBC is just a little peevish

about some of the things Epstein observed in his wanderings there and would like to get even by issuing a small smokescreen. If there are major errors in the book, NBC's news division president, Richard Wald, has a clear moral obligation to put corporate courtesy aside and shout them out—just as CBS did in 1971 in response to Edith Efron's *The News Twisters* [*CJR*, Nov./Dec., 1971], which hinted that CBS, NBC, and ABC operated as leftist political cabals in 1968 to try to defeat Richard Nixon in his bid for the Presidency. But if, as seems more likely, NBC is just showing that hell hath no fury like a network scored, the whole business is a fine argument against concentration of media power. In the next generation will there still be editors at Random House who dare print a work critical of Daddy?

The irony of NBC's subtle attempt to discredit *News from Nowhere* is that the book, assuming it is reasonably accurate, could be highly beneficial to NBC's self-interest, as well as CBS's and ABC's. For it makes the point that network news departments are the creatures of economic, bureaucratic, and humanistic imperatives, the same as any other field of collective endeavor.

Now, this premise leads to some undeniably sobering conclusions, chief among them that "the news" on TV is in no way the "mirror image of society" that the Brinkleys, Salants, and Cronkites like to insist it is. In fact, it is often self-censoring, stereotyped in its subject matter, unrealistically tied to available news pictures, clumsily edited, under-researched, predictable, and out of date. But—given the nature of the human beast—inevitably so. And if everyone would just have in mind a good idea of TV news' natural limitations when he sat down to watch a newscast, we might free ourselves from the tyranny of convenience that makes TV the No. 1 source of information for so many Americans.

Network executives might be the last to complain if their viewers read more and relied on video news less; it would take a hugely uncomfortable burden from their shoulders. (Epstein argues that through FCC requirements to "devote a reasonable amount of broadcasting time to . . . news," there is a "created" demand for news that

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station licensees might not otherwise find it in their interest to provide, given the constraints of balance, advertiser pressure, and so on.)

At any rate, the very least that Epstein's book contributes is a defusing of the TNT theory of calculated, political news bias. *The News Twisters* (TNT) was the most recent book to tackle the question of who selects what news and why. *News Twisters*, though it was roundly and deservedly ridiculed by most reviewers as disingenuous radical-right propaganda masking as content analysis, nevertheless articulated a vague but widespread suspicion that the networks are partisan.

Epstein at least has a procedural theory that involves more than an abacus and something to keep the coffee hot. This book began as a doctoral dissertation at Harvard University in 1968; it originated in a seminar that studied the question: "To what extent are the directions that large organizations take, whether they are political parties, city governments, business corporations, or whatever, determined by pressures to satisfy internal needs rather than by external circumstances or even long-range goals?" Epstein attacks the question on three fronts: Structures (which includes a look at the "political ground rules" and the economic logic of a network), The Selection Process (how news decisions are made), and Outputs (the categories into which news stories inevitably fall, and why).

He begins by rather effectively dismissing the most cherished platitude of TV newsmen: that their product is a mirror of society. News is news, the executives like to say; "the pictures of society shown on television as national news are not the product of decisions within an organization but fixed by an external reality." But a four-month analysis of the logs of the *NBC Nightly News* revealed to Epstein that only 47 per cent of the newsmen depicted events on the day they occurred; 36 per cent was more than two days old; 12 per cent, more than a week old. Secondly, the networks are far from omniscient in the way the "mirror" image might imply; at NBC, 90 per cent or more of the national news shown on the evening news report actually was produced by ten film crews based in five cities.

Further, organizational "policy" determines which stories are selected in, which are selected out, and how the surviving ones are reported. Epstein quotes CBS News president Richard Salant, for instance, as admitting, "We do have a policy about live coverage of disorders and potential disorders. . . . The policy is that we will not provide such coverage except in extraordinary circumstances." And who decides when the circumstances are "extraordinary"? The mirror does.

There is evidence of "policy" changes in TV coverage of the Vietnam War, too, Epstein argues. In 1968, when President Johnson announced the bombing halt of North Vietnam, an NBC executive producer reportedly told his news staff that now the "story" was the negotiations, not the fighting. Although the number of combat deaths remained about the same during that transitional period, the focus of Vietnam coverage was suddenly and perceptibly different to the viewer.

One of the most useful points made in this section is that selection of stories often is disproportionately affected by the availability of newsmen or videotape. News departments operate within strict economic parameters; film is seldom wasted. There is an interesting anecdote—again involving NBC—in which some film, purchased "blind" from a freelance cameraman in Germany in 1968, did not live up to advance billing in depicting "sharp Czechoslovakian resistance" to the Soviet invasion of that country. NBC wanted to use it anyway; so, taking the cameraman's word of honor that there was indeed some rock-throwing, window-smashing, and a little gunfire, the producer spliced in some rock-throwing, window-smashing, and crowd-surging noise—from the NBC sound-effects library.

Another important point of the Structures section is that, although news executives justify their non-mirrorlike decisions on the basis that they are "professionals," there are no formal standards by which broadcast newsmen are measured. Further, while most "professionals" (doctors, lawyers) have a good deal of autonomy, a TV newsmen's decisions are almost always modified by a larger group: producers and assistant producers who are not part of the newsgathering process often have

a great deal to say about how the event is played. "It is not, in fact, uncommon," Epstein writes, "for correspondents to join a story after a substantial part of it has been filmed."

Although newsmen fancy themselves as flitting from one unexpected phenomenon to another, Epstein adds, the "structure" of network news also leads to a dependency on "routinized events"—or what Walter Lippmann calls a "repertory of stereotypes." Press conferences, Senate hearings, speeches by important newsmakers—"conveniently located and 'wired for television'"—are the norm, he argues, and there is "a functional neglect of events with less advance warning or less likely to produce sure-fire news stories."

As for the political ground rules, Epstein shatters the Efron-inspired "liberal myth" by pointing out the basic and impossible-to-overemphasize fact that broadcasting, unlike other media, is a government-regulated industry. Far from blithely singing out a party line, the networks—due to fears of station license revocation—tend to practice "self-censorship." Networks are invisible without affiliate stations; it is the stations that are licensed and the stations that are most responsive to community interest, convenience, and necessity. A network vice president admitted to Epstein that he and his colleagues "do make some functional assumptions" about what sort of news documentaries the affiliates will and will not clear.

Another political ground rule discussed is the Fairness Doctrine—in theory, a built-in guarantee of balance and fairness, and thus an insurance of truth. "However," writes Epstein, "by making broadcasters responsible for airing views antithetical to their own and for achieving 'overall balance in the points of view presented,' the FCC has in effect restricted the freedom of broadcasters to report what they prefer, which is the cutting edge of the traditional concept of a free press." The Fairness Doctrine, Epstein acknowledges, "is perfectly consistent with the usual notion of objectivity"—that is, telling "both sides" of a story. "It can, however, seriously conflict with the value that journalists place on investigative reporting, the purpose of which is 'getting to the bottom' of an issue, or 'finding the truth.'"

Epstein has little to say about the influence of

powerful, individual politicians or even Administrations on the selecting of news. In this and a few other respects, Epstein lacks the perspective of a longtime professional TV-watcher such as *Variety* TV critic Les Brown. In his 1971 book, *Television: The Business Behind the Box* [CJR, Nov./Dec., 1971], Brown displays more corporate savvy than the scholarly but dilettante Epstein.

Epstein may be somewhat at sea, too, in the credence he is willing to place on the "audience-flow theory" of news scheduling. He follows the assumption, fashionable a few years ago, that it is the entertainment program *before* the newscast that assembles audiences, not the newscast itself. (But in recent seasons, TV viewers have proved themselves to be somewhat more independent channel-switchers than was commonly thought,

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## "What Lippmann calls 'a repertory of stereotypes' . . ."

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and it is hard to accept the premise that the combined news audience of 57.5 million viewers just happen to catch the news each night because they tuned in to, say, the Mike Douglas Show.) Proceeding from this assumption, Epstein argues in his "economic logic" chapter that it does not make economic sense for TV news to increase its information-gathering apparatus above the minimum necessary to fill available time. "Additional camera crews," he writes, "might well improve the quality of news coverage, but they would not, at least according to the assumptions of network executives, significantly increase the Nielsen ratings of network news or the advertising revenues derived from it."

True, the number of camera crews from a given network tends to remain fixed, and their location static. But stereotypes aside, most news is clustered in fairly predictable places; that which isn't so clustered is likely to happen before a camera crew



could arrive to cover it anyway. And network affiliate stations in many cities are beginning to purchase new, experimental equipment such as the portable "minicams" that transmit live pictures back to the studio.

The economic and political sections summarized above are perhaps the most thought-provoking sections of Epstein's book. The final half (The Selection Process, Outputs) deals with the nature of network newsmen themselves (they are almost invariably generalists, Epstein argues, dispatched to the nearest news happening according to their availability, and they reflect the view of Reuven Frank, then president of NBC News, that news is "change seen by an outsider in behalf of other outsiders"), and with categories of news, the editing process, the process of decision-making, and television's composite view of society.

News categories, Epstein writes, fall into "the producers' unwritten but generally known preferences for certain types of stories." They include the Dialectical Model (the point-counterpoint format of "balance"), the Ironic Model (the jocular tone often applied when no balancing point of view can be found; e.g., the "light pieces" that usually end the newscasts), the Action Story (violent clashes), and the Nostalgia Model (the old way yielding to the new, which is a convenient way to interest both rural and urban audiences).

In discussing editing, Epstein once again alludes to the tyranny of visuals for TV news—that "visual facts, of course, cover only one range of phenomena, and thus tend to limit the power of networks to explain complex events." He presents evidence that televised coverage of the Vietnam War was shaped partly by what kind of footage cameramen in Vietnam thought they could most surely get on the air. He quotes Mike Wallace, who remarked on public TV in 1968 that "Some of the correspondents kept a kind of scorecard as to which pieces were and were not used, and why, and it seemed as though an inordinate number of combat pieces were used, compared with some first-rate pieces in the political area or the pacification area or non-bloody stories."

The picture of society that TV news presents to the country, Epstein believes, is at least partly explained by the internal processes of the net-

works. When California is consistently portrayed as a state in which the curious and bizarre are commonplace; when stories from Europe always involve turmoil and turbulence; when campuses are always seen in apocalypse; when Congress is presented only as Senate investigations and dissident Senators railing against Presidential policies—when all of this emerges as the state of life on the TV screen, it is less indicative of the world at large than of the operational principles that govern those who cover it.

This is the chief value of *News From Nowhere*. Even if one accepts the worst of NBC's darkly anonymous grousings, and presumes that Epstein was a victim of bad advice and misleading suggestions from some of his sources during research (and at this writing, there is no hard evidence of that fault), the point remains that in a national-oriented electronic medium beset by economic limitations and government drawstrings, internal goals and policymaking *do* shape "the news." The best effect of the book would not be a sudden and dramatic reform of network news departments; the best effect would be that everyone started reading again.

## Access: a right?

JAMES BOYLAN

FREEDOM OF THE PRESS FOR WHOM? THE RIGHT OF ACCESS TO MASS MEDIA. By Jerome A. Barron. Indiana University Press, \$8.95.

■ Six years have passed since publication of Jerome Barron's "Access to the Press—A New First Amendment Right" in the *Harvard Law Review*. The article has emerged as a contribution as germinal and reflective of its time as another piece in the *Harvard Law Review* more than eight decades ago—"The Right to Privacy," by Samuel D. Warren and Louis Brandeis. But where the law of privacy stumbled and ultimately be-

came the victim of judicial affirmation of the right to know, the fate of access law is not yet determined. Even in its infancy it has shown a good deal of robustness, for it proposes new affirmations of freedom of expression where privacy law remained negative.

This volume offers Barron, who is now dean of the Syracuse University College of Law, an opportunity to develop more fully what he had offered in skeleton form in earlier articles. Much of what he says will still sound bizarre to journalists, accustomed as they are to all-but-absolute editorial/ownership control of the media and to regarding freedom from government pressure as the chief guarantee of the First Amendment. Barron argues that the First Amendment "should be interpreted as having a positive dimension"—that is, that there exists a constitutional right enabling those who do not belong to the relatively tiny group that owns or works for the media to seek media space and time. The nongovernmental nature of media corporations, he says, has exempted them from judicial action, but this may change.

In practical terms, Barron does not mean that an individual should be able to call up, say, CBS and demand network time for his views on any subject under the sun. He calls for the application to all media of two practices, which he incorporated in a bill that was offered unsuccessfully as a rider to the Newspaper Preservation Act of 1970. The two are: 1) the right to reply to an attack; 2) the right to purchase advertising space or time for expression of opinion.

The first of these already operates somewhat, by law, in broadcasting; the second is not sanctioned by law except in a scattering of states, although many newspapers in fact try to keep their pages open to all kinds of opinion advertising. Barron's means of enforcing these two types of limited access would be to call on the courts to issue appropriate orders, once it was ascertained that all general media were in fact closed.

He has a particularly telling first exhibit. He recounts the efforts of a union picketing the Marshall Field store in Chicago to buy space in any of the four Chicago newspapers to explain its position. Refused, the union tried to obtain a right to

access through the courts; it failed because the court would not concede that newspapers carried on any governmental function.

Such, in greatly oversimplified form, is the trend of Barron's thinking. He does not appear to offer any real advances on his original offering. Indeed, the half of the book that he devotes to developments in access to broadcasting will be relatively familiar to those who have followed broadcast-related actions of the FCC and the courts. Nonetheless, there is a value in having such matters reinterpreted.

The book is rather pedestrian in style and far from agitational in tone, yet it will certainly re-arouse fear and loathing in the media. But Barron should be listened to rationally, for he is not simply a liberal looking to have Big Government reform the media for him. From a libertarian point of view, his chief asset is that all he suggests is positive; there is no hint that anything would be deleted or suppressed were his proposals in force.

Yet the concept of judicial enforcement has its hazards. A balanced appraisal of the dangers of access appears in *The System of Freedom of Expression*, by Yale Prof. Thomas I. Emerson (whom Barron, oddly, fails to mention):

The attempt to use governmental power to achieve some limited objective, while at the same time keeping the power under control, is always a risky enterprise. Nowhere is this truer than in the area of freedom of expression. Nevertheless there is no alternative. The weaknesses of the existing system are so profound that failure to act is the more dangerous course. . . . The only prudent course, then, is to formulate principles and devise techniques that use social power to facilitate freedom of expression while holding the instrument of that power in check.

Significantly, Emerson supports (or, perhaps, anticipates) Barron's two proposals for the acceptance of paid advertisements and the right of reply. These are substantial concessions for a scholar whose work has focused on the governmental threat to free speech. Certainly, access has grown far beyond being a one-man doctrine; it is a concept that may, in the long run, change the nature of our mass media.

## Book notes

**PRECISION JOURNALISM: A REPORTER'S INTRODUCTION TO SOCIAL SCIENCE METHODS.** By Philip Meyer. Indiana University Press, \$10; Midland Quality Paperback, \$2.95.

■ A newspaperman himself, Philip Meyer (national correspondent for the Knight newspapers) does not underestimate the innate ability of the good reporter to sense the specific and the significant. But even the best, he would contend, can be misled when trying to develop broad statements on society in general from conventional wisdom and hunch-playing. The cautious adoption of social-science methods in newsrooms, Meyer argues, not only can provide a cross-check on journalistic impressionism but can create new kinds of news that practitioners may not have thought of.

*Precision Journalism* is an agreeable how-to book, a middle-ground presentation that shows equal disdain for journalists' convention and behaviorists' cant. Meyer's introduction to social-science mathematics may lead into territory that is unfamiliar, but the presentation is so expert that the lay reader can scarcely lose his way. The centerpiece of the book—five of the twelve chapters dealing with survey research—embodies not only a small text on the hazards of using other people's polls but charts every step in constructing one of your own. Other sections tell newspapermen how to go eyeball-to-eyeball with a computer without blinking, how to design ingenious field experiments, and how to mine such public records as the census or old voting returns. All of this is embellished with entertaining anecdotes, only occasionally marred by a tendency to slanginess.

Beyond its immediate values as a handbook, *Precision Journalism* can be seen as another step in an evangelistic campaign in which Meyer has been a leader. The object is to overcome the widely held suspicion among journalists (and teachers of journalism) of "chi-square" methodology. (Meyer, incidentally, has a lucid explana-

tion of the chi-square test.) The narrow range of examples drawn from journalism in the book shows, perhaps, how little progress has been made so far. Certainly, a presentation as reasonable as this one is bound to help the cause, even among skeptical editors who will dislike losing staff time and money on, say, a home-grown survey (although, as Meyer demonstrates, the costs can be modest).

But how far does journalism need to go toward quantification in the long run? A virtue of Meyer's book is that he recognizes the great barrier to statistical sophistication—not the journalists, for they can learn, but the general audience, which must be presented results that are comprehensible at once. Perhaps eventually the ordinary reader can be led into a few social-science nuances, but for the time being the best that journalists can do is to offer only the barest conclusions—if possible, conclusions backed by the best methods available.

**THE CROWD-CATCHERS: AN INFORMAL INTRODUCTION TO TELEVISION.** By Robert Lewis Shayon. Saturday Review Press, \$6.95.

■ Robert Lewis Shayon is as unhappy about the enforced passivity of the media audience as is Jerome Barron. But his solutions are somewhat different. He shares with Barron a belief in the value of citizens' action in broadcasting, but he also urges widespread instruction in "electronic-media literacy," to enable people to use TV as easily as they now use typewriters. He also calls for the development of what is now a mere novelty—the use of audience-feedback devices, a technique in which he has conducted experiments.

Shayon's major service in this book is to furnish a brief, engaging history of how American TV came to be fixed in its present patterns—the commercial base, the deadly rigidity of schedule. He raises to historical importance the relatively obscure figure of H. Clinton Smith, who sold the first radio commercial on WEA, New York, in 1922. He also offers a scientific explanation of TV that is, to a layman, remarkably lucid. Shayon's essay is one step in the direction of stripping TV of its air of sorcery and making it a tool for all.

OUTLAWS OF AMERICA: THE UNDERGROUND PRESS AND ITS CONTEXT. By Roger Lewis. Penguin Books, \$1.85 paperbound.

■ This survey, by an English writer, is the third book-length treatment of its subject, following Robert J. Glessing's *The Underground Press in America* (1971) and Lawrence Leamer's *The Paper Revolutionaries* (1972). Lewis' study has the advantage of treating underground newspapers not as a freakish branch of journalism but as outgrowths of the political and cultural movements that shook America in the 1960s. But the book's apparent age is a drawback: the author's foreword is dated September, 1971—a long enough gap in itself for such a subject—and the text reads as if it were written as far back as the Chicago convention of 1968, not so much because it ignores recent events as that it accepts so much of the quasi-revolutionary cant of that time. Lawrence Leamer, the outstanding student to date, made the judicious decision of writing his work as history. Lewis made the error of trying to write in the present, but his present now lies in an era that seems remote beyond recapture.

THE COMPANY STATE. By James Phelan and Robert Pozen. Ralph Nader's Study Group Report on DuPont in Delaware. Grossman, \$10.

■ This study of the corporation that is the largest, most permanent entity in Delaware contains an obligatory chapter on the Wilmington newspapers, which are still controlled by the du Ponts, despite a promise to sell. Many of the strongest examples of du Pont news tampering in the pages of the *News* and *Journal* are drawn from Ben Bagdikian's article in this magazine nine years ago [Summer, 1964]. There are a few recent sins, such as the papers' permissive treatment of the financial problems of Lamont du Pont Copeland, Jr. But much of the rest accuses the Wilmington dailies of doing what so many other American newspapers do—look at the world through the eyes of their locality's most powerful business interests and those interests' favorite political party. And most of those papers do not have even the excuse of ownership. There are a

few signs, according to this report, that the Wilmington papers are beginning to cut loose or be cut loose; they have contradicted company policy from time to time and they have added an ombudsman, certainly an unusual ornament for newspapers that have had such a narrow view of their responsibilities in the past.

THE MEDIA GAME. Edited by Dick MacDonald. Content Publishing, Ltd. (Room 404, 1411 Crescent Street, Montreal 107, P.Q., Canada). Paperbound, \$3.50.

■ Canada's national journalism review, *Content*, has observed its second anniversary with a tidy paperback of articles selected by its editor. The collection is well-written by journalism-review standards, and diverse. Readers in the United States may find that a few of the pieces suffer in migration, especially those dealing with persons not well known outside Canada. But most of it translates well, and in particular the section headed "techniques, critiques," which has sharp discussion of sportswriting and writers, of interviewing and interviewers, of the Canadian Press (Canada's equivalent of AP), of journalism schools and midcareer education, and of the uses of research in the newsroom.

THE POLITICS OF BROADCASTING: THE ALFRED I. duPONT COLUMBIA UNIVERSITY SURVEY OF BROADCAST JOURNALISM. Edited by Marvin Barrett. Thomas Y. Crowell, \$5.95; Apollo Editions paperbound, \$2.95.

■ Fourth in this annual series, the new volume concentrates on government pressures on broadcast news and broadcasting's performance in an election year. There are special articles by Sig Mickelson, Michael Novak, Steve Knoll, Dick Schaap, and John Houseman, as well as the texts of three speeches by Clay T. Whitehead, director of the White House Office of Telecommunications Policy, and of President Nixon's message on vetoing the 1972 public TV appropriation.

JAMES BOYLAN





■ Two photographers who sought out the mass violence and mass death of our century are handsomely memorialized in two new volumes. Not by coincidence, both were associated with the spectacular *Life* tradition in photojournalism, now unhappily terminated. *The Photographs of Margaret Bourke-White*, edited by Sean Callahan (New York Graphic Society, \$15), is actually the second retrospective volume, and one larger and fuller than the book issued last year at Cornell University. Bourke-White is shown above (left) working from one of the gargoyles on the Chrys-

ler Building in New York; her photograph at right, above, was taken at a liberated German slave-labor camp in 1945. Larry Burrows, whose career was confined to the postwar years, is revealed in *Larry Burrows, Compassionate Photographer* (Time-Life Books, \$17.95) as sharing Bourke-White's preference for the violent, the tragic, and the famous, the last seen in the postwar portrait of Winston Churchill (below, right). The photograph of Burrows below was taken three days before his death in Laos in 1971.

J.B.



## Unfinished business

### FDR and broadcasting

#### TO THE REVIEW:

"A Longer View" [PASSING COMMENT, Mar./Apr.] makes the point that Richard Nixon is not the first president to "duel with the press" and documents the argument by references to events in the Roosevelt Administration. One of the alleged events is that he had urged that "the power of the networks be reduced in favor of local stations." This is factually wrong.

The idea behind the FCC network regulations, which govern the relationship between the networks and the affiliates, was conceived by chairman James Lawrence Fly. He had formerly been in the Anti-Trust Division of the Department of Justice and was convinced that the relationship violated the spirit, if not the letter, of the anti-trust laws. It is not fair to equate those network rules with the present Agnew-Whitehead criticism of the relationship between these entities. Fly did it because he believed that this was sound economic public policy. He and other commissioners who voted for it were not concerned with the content of programs.

The piece does not make a reference to one of the most pertinent of FDR's involvements in the regulation of broadcasting. On Dec. 3, 1940, he wrote a memorandum to chairman Fly which read: "Will you let me know when you propose to have a hearing on newspaper ownership of radio stations." The Commission soon instituted an investigatory proceeding to determine whether newspapers should be prohibited from owning broadcasting stations. After months of hearings, the Commission issued a policy statement which said, in effect, that when there are two applicants for a broadcasting station and one is a newspaper and they are comparatively equal, the Commission would grant the non-newspaper applicant.

MARCUS COHN  
Washington, D.C.

### Credit to Lubell

#### TO THE REVIEW:

The item headed "The Neglected Results" [PASSING COMMENT] in your '72 Election Coverage issue [Jan./Feb.] is inaccurate and also does a disservice to journalism.

You criticize the TV networks and *Time* magazine for not doing a more meaningful job on election night in reporting the meaning of the voting results, particularly in regard to changes in the voting support within the Democratic coalition, and suggest that the networks could have gotten the base materials they needed from political scientists, notably the late V. O. Key.

Prof. Key actually did relatively little of the kind of work to which you refer. That work was done initially and continuously by a journalist who was supported in his efforts by newspaper editors across the country. The name of that journalist is Samuel Lubell—the signer of this letter.

Beginning with 1952, Mr. Lubell has covered every presidential election, reporting among other things the changes that were taking place among the elements making up the New Deal coalition—Mr. Lubell having written the definitive book on the Roosevelt coalition, *The Future of American Politics*. The use of election precincts as the basis for sampling—an approach Mr. Lubell invented—required him to develop "ingenious but understandable ways" of reporting election results, following the patterns of voter change from election to election, and the meaning of these changes.

These efforts were financed by the hundred-plus newspapers who published Mr. Lubell's stories, including the Knight, Gannett, and Scripps-Howard chains, whose editors—Lee Hills, Walker Stone, and Vincent Jones—served on the advisory board of the Opinion Reporting Workshop which Mr. Lubell directed while at the Columbia School of Journalism. The first election night reports over any network based on the voting of precincts was done by Mr. Lubell for CBS in 1952. Later the networks developed their election projections.

Why should you credit "political scientists" for what journalism did first and best?

Your item is also wrong in suggesting that "no reporter who has come to this publication's attention has actually gone to voting districts and tried to find proof" of the shift of the 1968 Wallace vote to Nixon. In Mr. Lubell's 1972 campaign reports, heavy pro-Wallace precincts were visited through the whole campaign. Mr. Lubell's stories told where and why they shifted to Nixon and where they held for McGovern.

What two papers do you read?

SAMUEL LUBELL  
Washington, D.C.

### Recorders misused?

#### TO THE REVIEW:

I was surprised and puzzled to read of Philadelphia reporter Greg Walter's conviction for taping his telephone conversations without the other parties' knowledge [PASSING COMMENT, Jan./Feb.] because I believe that this practice is not only entirely legal but highly desirable in sensitive cases.

Once a person is being interviewed, he is on sufficient notice that his conversation is being preserved via some kind of memory device, be it hastily scrawled notes, shorthand, or on a recorder. The more accurate the better. A tape recording also is the writer's best protection against subsequent denials or arguments.

My understanding is that it is perfectly all right to record a telephone interview without telling the person being interviewed, as long as Ma Bell's equipment is not altered (which is a separate situation, anyway). Using the recorder as your memory device is substantially the same as if you were to put a court stenographer on an extension line, or use a speaker phone and an ordinary tape recorder picking the sounds out of the air.

The use to which the tapes are put is a whole separate bag, and there may be other implications, but the act of recording the call is

legal, to the best of my knowledge. It would be a distinct shame if reporters were deprived of this valuable tool due to fuzzy, or worse, thinking of certain prosecutors and judges.

KARL WICKSTROM  
President, Wickstrom  
Publishers, Inc.  
Coral Gables, Fla.

### Newark: a Guild view

#### TO THE REVIEW:

As the former chairman of the Newark *News* unit of the Newspaper Guild, I was not altogether pleased with Richard Reeves' analysis of the newspaper's death ["Newark's Fallen Giant," Nov./Dec.]. But I thought that Mr. Reeves wrote a fairly balanced and extremely readable piece, so I saw no need to quarrel with his findings or engage in further post mortems. Now the extraordinary statement of self-justification [UNFINISHED BUSINESS, Mar./Apr.] by Richard B. Scudder, the former publisher and owner of the *News*, seems to cry out for some comment beyond the excellent riposte by Mr. Reeves.

I am not unsympathetic to Mr. Scudder's feelings. It did seem to me that Mr. Reeves was too harsh on the Scudders. The Scudders had let the paper slip and slide, but I never thought the Scudders' quixotic and haphazard approach to publishing was as disastrous for the *News* as the brutal avarice of Media General. That, in fact, is why I never attempted to organize a Guild unit at the *News* until after the Scudders had sold out in 1970.

The Scudders—or at least Dick—had some redeeming points. They tried to maintain a great institution, and they gave editors free rein to produce one of the most solid and reliable regional papers in the nation. They did try, if somewhat feebly, to respond to the social upheaval in Newark, and they did not yield to the pressures to forsake the city. While they were devoid of much managerial skill, they seemed to have—at least until the late Six-

ties—a certain devotion to the traditions of their paper.

Maybe the *News* was destined to die under any management, but I would as soon have seen it expire of old age under the Scudders as of blood-letting under Media General. And most of us would have preferred to deal with Dick Scudder at his old rolltop desk than with his successor, Bruce Mair, who surrounded himself with lavish offices and a phalanx of aides.

The basic trouble with the Scudders was their myopia. Dick Scudder really thinks his office was "modern and quite handsome," although the most charitable observer would consider it dowdy. And Dick Scudder also believes he had an up-to-date payroll system—even though his workers in 1970 were still being paid in cash by a man who blew a whistle to announce his arrival.

Worse, Dick Scudder thinks his reporters were absolutely free to pursue the truth wherever it led. And yet, one former reporter, Ted Hall, told me years ago he had been forbidden by the then editor, William Clark, to write a series on regulatory agencies because it might interfere with the cozy relationship between the Scudders' newsprint mill and the Passaic Valley Sewerage Commission. And an editorial writer, Kenneth Steffan, was told by the same Mr. Clark to tone down his criticism of the scandal-ridden Newark Police Department because the traffic cops would start ticketing *News* delivery trucks! And apparently Mr. Scudder doesn't consider it noteworthy that his huge editorial staff never really exposed one of the most rotten City Hall gangs in Newark's history.

Mr. Scudder is certainly entitled to state his case. But one wishes he had shed a bit of light on some intriguing questions raised by Mr. Reeves: Why did Time, Inc. duck out of the deal to buy the *News*? Why were the Scudders so eager to unload their family's priceless possession? Why were the Scudders obliged to return some of the stock they received from Media General? Since they were major stockholders of Media General, why did they not challenge Bruce Mair's charges of mismanagement against them in the NLRB testimony?

All of us made mistakes that contributed to the demise of the *News*. But had Mr. Scudder managed the *News* as vigorously as he defends it now, it might still be with us.

DOUGLAS ELDRIDGE  
East Orange, N.J.

### Britain's council: correction

#### TO THE REVIEW:

A Dart to the *Review* for suggesting [PASSING COMMENT, Jan./Feb.] that the British Press Council (of which I was a member for some five years) had or has "a nonmedia majority." The proportion of "lay" to "press" members has lately been raised, from 25 per cent to 40 per cent, but the considerable media majority is untouched.

DONALD TYERMAN  
London, England

### Covering China

#### TO THE REVIEW:

Norman Isaacs, for the most part, lives up to the title of his article "China: Casting Off the Myths" [Jan./Feb.], but in the process he perpetuates an old myth.

The myth is that in staffing the China story the main criterion of American editors and publishers should be, "They will have to send correspondents who know the Chinese language and who have studied Asian affairs sufficiently to understand the sensitivity and pride inherent in the Chinese character."

While I agree with it as the partial fulfillment of an ideal, the foremost requirement for covering China should be: one should be a good reporter. Send your best reporter with an Asian affairs background rather than someone on the staff whose main credential is some fluency in the Chinese language.

If your good reporter has sensitivity to Asia, and Chinese language fluency, so much the better.

EDWARD NEILAN  
East-West Center  
Honolulu

## REPORT ON REPORTS

### Summaries and reviews of current literature on the media

"A Free and Responsive Press: Twentieth Century Fund Task Force Report for a National News Council," with background paper by Alfred Balk, Twentieth Century Fund, New York, 1973; "Watchdog, Stay Away from My Door," the Progressive, March, 1973.

The controversial report calling for a nongovernmental Council on Press Responsibility and Press Freedom; varying reactions to a William L. Rivers article on the proposed Council.

"Where's CBS Heading Now?" Business Week, Feb. 10, 1973.

An intelligent and fact-filled report.

"PM (1940-1948): A Benchmark of Consumer Journalism," by Patrick R. Mahoney, Media & Consumer, January, 1973.

A Columbia journalism student's fascinating if somewhat uneven account of PM "as comparison shopper, instigator of price wars, and foe of 'Fair Trade.'"

"Black Radio: It's All in the Format," by Hollie I. West, Washington Post, Jan. 28, 1973; "An Interview with Ben Hooks," Black Enterprise, February, 1973; "Newspaper Reading Differences Between Blacks and Whites," News Research Bulletin, American Newspaper Publishers Association, Jan. 25, 1973.

A Post reporter's detailed rundown on the capital's four black-oriented radio stations; the views of black FCC commissioner Benjamin L. Hooks on "black involvement in broadcasting"; an interesting summary of a survey which finds that blacks read newspapers less than whites, in large part because "newspapers are not meeting the needs and concerns of blacks. . . ."

"Don't Touch That Dial!" by Gregory Curtis, Texas Monthly, February, 1973.

An incisive but friendly report, by the monthly's managing editor, on the *Newsroom* show in Dallas.

"What the Hell Is Funny Today? Buchwald, Baker, and Hoppe—A Study of the Political Satirist as Endangered Species," by Burling Lowrey, the Washingtonian, February, 1973.

A freelance writer and college teacher of English perceptively reports on the lifestyles and working habits of Baker, Buchwald, and Hoppe.

"Journalism as a Way of Life," by Daniel Ben-Horin, the Nation, Feb. 19, 1973.

A trenchant commentary on the "alternative press" by an editor and writer for the *New Times* of Phoenix.

"Public Television Station Employment Practices and the Composition of Boards of Directors: The Status of Minorities and Women," by Ralph M. Jennings, Marcella Kerr, and Truman E. Parker, Office of Communication, United Church of Christ, January, 1973.

A detailed analysis documents "underrepresentation" of minority employees and board members in public TV.

"Women's Liberation in the Comics: The Jokes Are on Everybody," by Laurie Johnston, New York Times, Feb. 3, 1973; "New Look on the Funny Pages," Newsweek, March 5, 1973.

A *Times* reporter perceptively reviews the "funny things [that] have been happening on the way to comic strip 'relevance'"; a quick but informative overview of the changing comic strips.

"How to Get Rid of Those Embarrassing College Papers," by Parry D. Sorensen, National Observer, Jan. 13, 1973; "The Bill of Rights and the Student Press," by Jeffrey I. Roth and Kathy Riley, Chicago Journalism Review, January, 1973.

A sound exploration of the current situation in college newspapers; a Yale law student and a Lerner Newspapers education writer intelligently review the legal status of the student press.

"The Professional Values of American Newsmen," by John W. C. Johnstone, Edward J. Slawski, and William W. Bowman, Public Opinion Quarterly, Winter, 1972-73.

Three sociologists provocatively explore "the professional and social characteristics of those oriented to different conceptions of journalistic responsibility."

"Your Freedom to Know: Newsday's Series of Special Reports, on the First Amendment Crisis," Newsday, February, 1973; "Special Issue: The Press Under Fire," Bulletin of the American Society of Newspaper Editors, February, 1973; "The Press Needs a Slogan: 'Save the First Amendment!'" by A. M. Rosenthal, New York Times Magazine, Feb. 11, 1973; "How Responsible Is the Press? How 'Free' Should It Be?" by Rexford Guy Tugwell, Center Report, February, 1973; "The American Press—Under Siege?" by Leonard R. Sussman, Quadrant, Nov./Dec., 1972.

Varying points of view on what has become one of the major issues in contemporary American journalism.

DANIEL J. LEAB



## the lower case

**Carmelites seek  
to build nursing  
home on ape**

Boston Globe,  
Feb. 1.

**Strawick Cited  
For Wreckless  
Driving in Crash**

Moscow, Ida., Daily Idahonian,  
Dec. 14, 1972.

2—Dick Van Dyke  
5-12—Special  
9-11—Movie "True Grit"  
8:30 p.m.

Antigo, Wis., Daily Journal,  
Nov. 10, 1972.

**Legalized Outhouses  
Aired by Legislature**

Hartford, Conn., Courant,  
March 10.

**2 Apartment Couples For Sale  
In Roland Park As Package Deal**

Baltimore Evening Sun,  
Jan. 11.

Although Mr. Nixon has twice  
picked Mr. Agnew as his Voice  
resident, there have been re-

New York Times,  
Jan. 3.

**Overdue Bulls Will Wait No Longer**

New Orleans States-Item,  
Feb. 21.

head, seven members of two families come  
ashore after being rescued from their sinking  
houseboat in rough seas off Manomet Point

New Orleans Times-Picayune,  
Oct. 10, 1972.

**THE KU KLUX KLAN has  
declared war on pornography.  
Imperial Lizard Robert M. Shelton**

Alabama Journal,  
Montgomery, Ala., March 6.

has appeared as a celebrity three  
times on the Oscar show but will be  
faking his first appearance as mas-  
ter of ceremonies.

Boston Globe,  
Jan. 28.



AFTER "CEASEFIRE," a South Vietnamese soldier carried prized possession, a North Vietnamese flag captured in one of many battles. (UPI)

Boston Globe,  
Jan. 29.

around the bridge.  
The present bridge was  
started five and a half years  
ago while thousands of com-  
muters and vehicles streamed  
across and barges and tugs  
sailed underneath. Half the  
width of the bridge was dis-

New York Times,  
March 17.

all the men had their hands  
up except Eugenio R. Marti-  
nez, who was carrying a gym

New York Post,  
Jan. 16.

Sgt. Joseph Panogla attributed the decline to the arrest  
and subsequent incarceration of a few people in the area. The num-  
ber of arrests made by the P.D. rose by 20% almost evenly

Saddle Brook, N.J.,  
News Dispatch.

NEW YORK (UPI) -- ELITE ISRAELI COMMANDO UNITS ARE OCCUPYING  
SEVERAL UNINHIBITED ISLANDS AT THE SOUTHERN END OF THE RED SEA FOR

LAST EIGHT MONTHS TO PROTECT FISHERMEN BRINGING IN FOR

UPI, Mar. 11.

## Second reading

### **"The public...needs prodding, not pounding; stimulating, not scaring..."**

■ There is obviously [on television] every attempt to report the truth, but truth also consists of completeness; facts alone are often misleading and must be presented in some sort of perspective. Undoubtedly, time necessitates that everything cannot be reported, nor can that that is be reported in its entirety.

However, it occurs to me that from time to time some more hopeful occurrences can be reflected, in addition to the fires, the killings, the war, air pollution, and poverty. Certainly the public must be made aware of the vast amount of waste and destruction in our society, but man also must have reason to hope. He also must be made aware that somewhere and sometimes progress is being made, if only in the hard work and day-to-day activities of other human beings. This is not to be mistaken for a reward but just an acknowledgment.

Continued bombarding of the public with the tragedies of our society can dull the public's senses and leave it not only with little hope, but often completely immobile. It can be speculated that lack of hope contributes to escape from reality . . . the happy-ending situation comedies that are now so popular. Perhaps it is assumed that the public is stupid, that it is necessary to bludgeon it into the reality that the world is in a terrible fix. But perhaps it would be more fair to assume that the public is often dulled and tired, that it needs prodding, not pounding; stimulating, not scaring; shocking, maybe, but not frightening into a kind of passive, dulled suicide.

**—Michele Clark (1943-1972),  
CBS News,  
In application to Columbia  
University Summer Program  
for Minority Groups, 1970.**

